

INFORMATIONAL HEARING AND SITE VISIT  
BEFORE THE  
CALIFORNIA ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION

In the Matter of:                    )  
  )  
Application for                        )  
Certification for the                 ) Docket No. 00-AFC-1  
CONTRA COSTA POWER PLANT         )  
UNIT 8                                 )  
SOUTHERN ENERGY DELTA            )  
\_\_\_\_\_ )

DELTA DIABLO SANITATION DISTRICT  
BOARD ROOM  
2500 PITTSBURG-ANTIOCH HIGHWAY  
ANTIOCH, CALIFORNIA

MONDAY, JUNE 12, 2000

3:00 P.M.

Reported by:  
Debi Baker  
Contract No. 170-99-001

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

COMMITTEE MEMBERS PRESENT

William J. Keese, Presiding Member

Michal C. Moore, Associate Member

STAFF PRESENT

Garret Shean, Hearing Officer

Michael Smith, Advisor to Chairman Keese

Susan Bakker, Advisor to Commissioner Moore

Lisa DeCarlo, Staff Counsel

Kae C. Lewis, Project Manager

PUBLIC ADVISER

Roberta Mendonca

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Joe Bitner, Plant Manager  
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CHIEF

W. Richard Texier, Legal Assistant  
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representing California Unions for Reliable  
Energy (CURE)

Paulette Lagana  
Community Abatement of Pollution and Industrial  
Toxins (CAP-IT)

T.J. Jetton

ALSO PRESENT

Jack R. Hall, P.E., Associate Civil Engineer  
Public Works Department, Engineering Services  
City of Antioch  
City Hall  
Third and H Streets  
P.O. Box 5007  
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ALSO PRESENT

Habib Amin, Accidental Release Prevention  
Specialist  
Contra Costa Hazardous Materials Programs  
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Dick Wocasek, Air Quality Engineer II  
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Bay Area Air Quality Management District  
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Suzanne DeLeon  
Department of Fish and Game

Paul Gasse  
Delta-Diablo Sanitation District

Sharon Baker  
Antioch

Brian Zuckerman

Tony Chapman  
Sportsman Yacht Club

## I N D E X

	Page
Proceedings	1
Introductions	1,2
Opening Remarks	1
Overview	6
Presentations	
Public Adviser	10
Applicant	12
Questions/Discussion	25
CEC Staff	26
Comments	
Local Government and Agencies	
Contra Costa County Health Services	43
Intervenors	
Paulette Lagana, CAP-IT	41
Joe Hawkins, CHIEF	45
Public	
T.J. Jetton	54
Sharon Baker, Antioch	55
Brian Zuckerman	70
Site Visit	71
Evening Session	72
Public Comment	
Tony Chapman, Sportsman Yacht Club	73
Closing Remarks	78
Adjournment	80
Certificate of Reporter	81

## 1 P R O C E E D I N G S

2 3:00 p.m.

3 PRESIDING MEMBER KEESE: Good afternoon.

4 We're here from the California Energy Commission  
5 because we have an application by Southern Energy  
6 to build a power plant in this area. And I'd like  
7 to start out with the introductions of the dias  
8 here before we get underway.

9 I'm Bill Keese, Chairman of the  
10 California Energy Commission, and Presiding  
11 Officer on this siting case.

12 Michal Moore, Commissioner, is on my  
13 right. Susan Bakker, his Advisor, is on his  
14 right. Mike Smith is the second to my left, he is  
15 my Advisor, and Mr. Shean will be conducting this  
16 hearing as our Hearing Officer.

17 This is the first hearing, an  
18 informational hearing on this power plant. It's  
19 the first public event in the process of siting of  
20 this power plant.

21 We have three purposes today. The first  
22 is that the applicant present the project for our  
23 review.

24 The second is that the California Energy  
25 Commission Staff tell you what the process is

1 under which this review will take place.

2 And third, to take any questions and  
3 hopefully get comments from the public and  
4 answers, as they may be available.

5 At 4:30 p.m. we will be departing for a  
6 site visit. Transportation will be provided. And  
7 I would imagine we'll be leaving from right up  
8 front here, Doug, correct?

9 We're also going to discuss potential  
10 issues that have been identified by the staff.  
11 And the schedule for this process which, under our  
12 mandate, is a one-year process.

13 I've introduced the dias here. We also  
14 have Roberta Mendonca. Roberta is our Public  
15 Adviser, and she will be speaking a little later.

16 I'd like the applicant to introduce  
17 their participants, please.

18 MR. HARRER: Mark Harrer, Southern  
19 Energy, Project Manager.

20 MR. VARANINI: I'm Gene Varanini with  
21 the lawfirm Livingston and Mattesich, and I am  
22 Project Counsel.

23 MR. SHILEIKIS: Dale Shileikis with the  
24 consulting firm of Dames and Moore.

25 MR. KINO: I'm Ron Kino, the

1 Environmental Manager for Southern Energy  
2 California.

3 MR. BITNER: I'm Joe Bitner, I'm the  
4 Plant Director for the Delta Plant, Southern  
5 Energy California.

6 PRESIDING MEMBER KEESE: Thank you.  
7 Staff. MS. LEWIS: Kae Lewis, I'm the  
8 Project Manager for the Energy Commission.

9 MS. DeCARLO: Lisa DeCarlo, I'm Staff  
10 Counsel for the Energy Commission.

11 PRESIDING MEMBER KEESE: Thank you. Do  
12 we have any other agencies represented here?

13 MR. HAWKINS: You don't have an agency,  
14 but you got a person.

15 PRESIDING MEMBER KEESE: Do we have  
16 somebody represented on the phone?

17 MR. HAWKINS: Yeah, this is Joe Hawkins.  
18 But you guys are cutting in and out, I can hear  
19 half of what you're saying.

20 PRESIDING MEMBER KEESE: Joe, we're  
21 trying to go through introductions here. Ms.  
22 Mendonca will try to see what she can do about  
23 this.

24 (Off-the-record discussion.)

25 PRESIDING MEMBER KEESE: Joe, what we

1 did was introductions of the applicant and the  
2 staff personnel. We will have the rest of the  
3 people introduce themselves into a microphone so  
4 you should be able to hear. Please let us know if  
5 you continue to have a problem.

6 Those who are here in a representative  
7 capacity for agencies, can you take a mike,  
8 please, so that we can get this recorded and they  
9 can hear you.

10 MR. WOCASEK: I'm Dick Wocasek from the  
11 Air District.

12 MS. DeLEON: Suzanne DeLeon, Department  
13 of Fish and Game.

14 MR. GASSE: Paul Gasse, Delta-Diablo  
15 Sanitation District.

16 PRESIDING MEMBER KEESE: Any other  
17 agency representation? Representatives of cities  
18 or the county?

19 MR. HALL: Jack Hall, City of Antioch.

20 PRESIDING MEMBER KEESE: Any other  
21 representatives?

22 MR. AMIN: Habib Amin, Contra Costa  
23 County Health Services Department.

24 PRESIDING MEMBER KEESE: Do we have any  
25 intervenors?

1                   MR. HAWKINS: Yeah, that's Joe Hawkins,  
2 but can you guys hear me without any skips or  
3 breaks?

4                   PRESIDING MEMBER KEESE: Yes.

5                   MR. HAWKINS: Okay, now I can't hear you  
6 guys. I keep hearing sections of words and then  
7 it cuts off, and then you end up with your  
8 sentence.

9                   PRESIDING MEMBER KEESE: When they were  
10 introducing themselves did you hear them?

11                  MR. HAWKINS: I didn't hear them.

12                  PRESIDING MEMBER KEESE: Even the last  
13 group of people who were introducing themselves?

14                  MR. HAWKINS: No. I just heard the  
15 start of a sentence and then skipped, and then the  
16 end of the sentence. Like it's cutting out on me.  
17 You guys can hear me, but I can't hear you.

18                  MS. MENDONCA: Maybe he should try  
19 calling back again?

20                  PRESIDING MEMBER KEESE: We're going to  
21 try to move the speakerphone as we get this  
22 started so that the speaker will be speaking right  
23 directly to you, Joe.

24                  Do we have any other intervenors at this  
25 time?

1 MR. TEXIER: Rich Texier with CURE.

2 MR. BUCHANAN: Doug Buchanan  
3 representing CalPine Corporation and Bechtel  
4 Enterprises.

5 PRESIDING MEMBER KEESE: Thank you.  
6 Members of the public who are interested in  
7 participating very actively are welcome to  
8 introduce themselves at this time.

9 I will let you know that this proceeding  
10 is relatively informal. You will be able, whether  
11 you introduce yourself at this time or not, you  
12 will be able to make your comments and ask  
13 questions later in this process.

14 Is there anybody who feels they would  
15 like to be recorded for the record?

16 Thank you. Mr. Shean.

17 HEARING OFFICER SHEAN: I wanted to just  
18 give you a brief overview of the California Energy  
19 Commission's review process. The staff will get  
20 into this in some greater detail.

21 As the Chairman indicated it is a  
22 nominal one-year schedule. There are  
23 opportunities for both formal and informal  
24 participation for the public in all phases of the  
25 proceeding.

1           The staff will conduct an independent  
2           and comprehensive review and provide documentation  
3           of environmental engineering, public health and  
4           public safety issues.

5           Public hearings will be conducted, and  
6           public meetings or workshops will be conducted  
7           throughout this year's schedule to develop a  
8           record which serves as the basis for the decision.

9           Ultimately the decision will be voted  
10          upon by the five-member Commission which is  
11          headquartered in Sacramento.

12          The documents that currently exist, if  
13          you want further information with respect to the  
14          proceeding, the largest one available now and the  
15          most comprehensive is the applicant's application  
16          for certification, which is available for viewing  
17          in your local libraries. And Ms. Mendonca has a  
18          list of those libraries.

19          Upcoming will be the preliminary staff  
20          assessment followed by a final staff assessment.  
21          Those will be available publicly when they're  
22          issued, and they will be on the Energy  
23          Commission's website.

24          Lastly, when the proceedings are a  
25          little farther along, the Committee will be

1 issuing a proposed decision. It will be publicly  
2 issued, and again available on our website.

3 And the last large document you will see  
4 will be the Commission decision, which will be the  
5 one voted upon by the five-member body -- yes,  
6 sir?

7 MR. HAWKINS: I can't hear a thing you  
8 guys are saying. And I just wanted to bring out a  
9 few points, and I'm getting off the phone line  
10 since I can't participate in this.

11 MS. MENDONCA: Joe, let me try a  
12 different speakerbox with three other microphones  
13 to it. So if you can show a little patience we  
14 might be able to get you a better connection here.

15 MR. HAWKINS: Well, I can't hear a thing  
16 they're saying, so I might be missing some  
17 pertinent information is all I know.

18 MS. MENDONCA: We're just at the  
19 introduction part right now. Nobody has said  
20 anything substantive. We're just going through  
21 the overview of what's going to go on today and  
22 introduces everybody. I don't think you've missed  
23 anything that you would feel that you were missing  
24 out on.

25 MR. HAWKINS: I didn't catch all that.

1 MS. MENDONCA: Okay, we're looking for a  
2 phone with three other microphones, so if you can  
3 have a little patience we might be able to get you  
4 a better connection. Okay?

5 MR. HAWKINS: All right.

6 MS. MENDONCA: Thank you.

7 HEARING OFFICER SHEAN: Let me just  
8 indicate to you that there will not be what you  
9 would typically know as a draft or final EIR. Our  
10 process is not that traditional California  
11 Environmental Quality Act draft EIR/final EIR  
12 process.

13 Should also indicate that as I described  
14 the staff as independent, the reason for that is  
15 that the decision-makers are independent from the  
16 staff, just as much as the staff are independent  
17 from the decision-makers.

18 The decision that will be rendered by  
19 the Commission, whichever way it goes, will be  
20 based upon our record which is created in public  
21 hearings. There is no private access to the  
22 decision-makers, and that is embodied in an ex  
23 parte rule in the Commission's regulations, which  
24 prohibits communications by any party or  
25 interested person with a decision-maker off the

1 record and out of the public setting.

2 Let me just indicate further that for  
3 citizens in groups, you can participate at various  
4 levels of involvement. Ms. Mendonca will discuss  
5 that in some greater detail.

6 Largely the level of your participation  
7 is of your own choosing. Becoming a party will  
8 allow you to participate in a more formal sense at  
9 later hearings.

10 If all you want is information with  
11 respect to the proceeding, you can sign up for our  
12 mailing list and you will receive by United States  
13 Postal Service, or if you choose to later, as part  
14 of a pilot project, information concerning the  
15 proceeding either in hard copy form, or electronic  
16 mail.

17 Having said that, now what we would like  
18 to do is go to Ms. Mendonca, who is a  
19 gubernatorially appointed advocate for the public.  
20 Her role is very well defined in both our statute  
21 and our regulations. She is your resource. And  
22 with that, we'll go to Ms. Mendonca.

23 MS. MENDONCA: Thank you. Hello, and  
24 welcome to the information hearing today and site  
25 visit. Garret, thank you for the very fine

1 introduction.

2           The role of the Public Adviser is quite  
3 unique in state government. I am actually here to  
4 facilitate you having an understanding of our  
5 process. So if your questions deal with why is  
6 something happening at such-and-such a time and  
7 such-and-such a place, or why is it titled notice,  
8 or why is it titled workshop, or how can I make my  
9 comment, what's the most effective way, which  
10 forum should I go to to make my comment, those are  
11 the kinds of issues that the Public Adviser is  
12 here to address.

13           And to help you out today, you're gong  
14 to hear a lot of information, and some of it will  
15 be fairly complicated. I have a one-page summary  
16 handout of the project with my numbers and my  
17 email. You're welcome to walk away with that.

18           Also, a one-page timeline that you're  
19 also welcome to walk away with today. That will  
20 give you an idea of where we are in our year-long  
21 process.

22           There will be a lot of information  
23 coming your way, and sometimes it's pretty hard to  
24 remember everything. So I encourage you to take  
25 the one-page handout and to contact me again in

1 the future if you have questions about our  
2 process.

3 Thank you.

4 PRESIDING MEMBER KEESE: Okay, we'll  
5 begin with the applicant, present us with the  
6 project, please.

7 MR. HARRER: Thank you. We have a few  
8 slides. It will take a second to set it up.

9 (Pause.)

10 PRESIDING MEMBER KEESE: Mr. Harrer.

11 MR. HARRER: Chairman Keese,  
12 Commissioner Moore, Members of the Energy  
13 Commission Staff, and members of the public, we  
14 have a short presentation this afternoon that will  
15 cover some of the key parts of our proposal.

16 Before we do that I'd like to introduce  
17 Southern Energy. In 1999 Southern Energy bought  
18 PG&E's three Bay Area power plants. Before that,  
19 I'm sure most of you had not heard of us.

20 This map shows the three plants that we  
21 bought. The plants near Pittsburg and Antioch are  
22 surely familiar to the local community. The  
23 third, Potrero, is in San Francisco.

24 These three plants are very important to  
25 the Bay Area. They provide about a third of the

1 electricity used every day.

2 Southern Energy is a large independent  
3 energy company and a subsidiary of Southern  
4 Energy, the largest producer of electricity in  
5 America, and the company's annual revenue is about  
6 \$12 billion. Southern Company is based in  
7 Atlanta, Georgia.

8 Southern Energy does two things. We  
9 produce electricity by owning and operating  
10 merchant power plants. And we trade electric  
11 power and natural gas. We operate in nine foreign  
12 countries, in addition to the United States.

13 We haven't been here very long in  
14 California, only since last April. But we've  
15 grown rapidly. About last April we established  
16 Southern Energy of California to own and operate,  
17 purchase power plants, and to develop new sources  
18 of clean power in the west. We now have about 200  
19 employees and we have offices in San Francisco and  
20 Walnut Creek.

21 Southern Energy is proposing to build a  
22 new power plant in the Bay Area. The question  
23 might be asked why do we need new power plants in  
24 the Bay Area. I think these first two bullets  
25 explain it pretty well. Those are some pretty

1       amazing statistics.

2                    Would you want to depend on a 30-plus-  
3       year-old car to get you to work every day, or to  
4       take your children to school?

5                    The Bay Area has added about two million  
6       residents since the existing plants were built.  
7       We've also seen tremendous economic growth over  
8       the last decade. Unemployment currently in some  
9       Bay Area counties is approaching 2 percent. The  
10      phone company has been changing area codes so  
11      frequently that most of us can't keep up. The  
12      stock market is at all-time highs, and I think  
13      most of us feel pretty good about the future.  
14      These are all signs of a healthy economy and  
15      robust economic growth.

16                   Energy, specifically electric energy, is  
17      the engine of economic growth. We need new  
18      efficient power plants to insure that we have an  
19      adequate supply of energy at prices we can afford.  
20      This new plant will help accomplish this.

21                   The local area has also seen tremendous  
22      growth. For the citizens of Antioch, Brentwood  
23      and other nearby communities new plants like this  
24      assure you that you're not going to see a big  
25      spike in your energy bill in the future.

1                   Now I want to talk a little bit about  
2                   the Contra Costa project. Over the last 20 years  
3                   the technology of producing electricity has  
4                   totally changed and the efficiency of this  
5                   technology has improved tremendously.

6                   Our existing Contra Costa plant is old  
7                   technology, as are virtually all of the other  
8                   existing power plants in California. We will  
9                   continue to upgrade these plants to meet new  
10                  environmental standards and add efficiency  
11                  improvements. But the fact remains that new  
12                  technology is more efficient, a lot more  
13                  efficient.

14                  The plant we're planning to build is  
15                  state of the art, both environmentally and in  
16                  efficiency. It's called a combined cycle gas  
17                  turbine plant.

18                  The gas turbine part of the plant  
19                  consists of two large combustion turbine  
20                  generators. Each turbine in this plant is capable  
21                  of producing 175 megawatts of electricity.

22                  The combined cycle part of the name  
23                  comes from the fact that the plant uses two  
24                  technologies to extract energy. The gas turbine  
25                  is the first technology. Steam is the second.

1           The exhaust gases from the gas turbine  
2           are directed through a sophisticated boiler to  
3           create steam. An additional 180 megawatts of  
4           energy is extracted when the steam goes through a  
5           steam turbine generator.

6           The combination of the two technologies,  
7           gas turbine and steam, produces electricity 40  
8           percent more efficiently than old conventional  
9           boiler designs. That means we can use a lot less  
10          fuel to produce the same amount of electricity.  
11          That translates into lower cost for the consumer.

12          This new plant is also a lot cleaner  
13          than power plants in the past. California has the  
14          strictest environmental laws in America. In order  
15          to be licensed, the Contra Costa project will have  
16          to meet these standards.

17          It has several features that help  
18          achieve this. The plant uses clean burning  
19          natural gas, which virtually eliminates some  
20          pollutants and produces much lower levels of  
21          others. The two emissions control technologies  
22          that we are using are proven and effective.

23          There is one other feature that I want  
24          to mention because it is unique to this plant. We  
25          are re-using cooling water from units 6 and 7 to

1 provide cooling water for the new unit 8. This is  
2 both unusual and very innovative. Units 6 and 7  
3 take their cooling water directly from the San  
4 Joaquin River, and discharge it back into the  
5 river after it leaves the condenser.

6 This water will be re-routed to new unit  
7 8 where it will be used again. What this means is  
8 that the new power plant will not need additional  
9 water and will have no impact on Delta waterways.

10 This is the way the Contra Costa site  
11 currently looks. Right about there is units 1, 2  
12 and 3, which were the first set of units built on  
13 the site. And units 4 and 5 are there. All of  
14 those units are currently -- have been retired.

15 Units 6 and 7 are still operating. And  
16 this is the site where the new power plant will  
17 go, right about here.

18 We believe the most appropriate site for  
19 a new power plant is on the site of an existing  
20 power plant. That's the reason we bought the PG&E  
21 plants. These sites were sold with modernization  
22 in mind and that was always our intention.

23 The Contra Costa site has been here  
24 since the late '40s, more than 50 years. It's a  
25 known use in a known location, and it has several

1 built-in advantages as a site for new generation.

2 To understand what I'm talking about  
3 look at some of the advantages offered by the  
4 site. The Contra Costa site was once home to  
5 seven generating units totaling 1250 megawatts.  
6 In recent years, as I already mentioned, units 1  
7 through 5 were retired because they were obsolete.  
8 This reduced the plant to 570 megawatts.

9 The addition of new unit 8 will almost  
10 exactly replace those retired units with a modern,  
11 clean, efficient technology. The transmission  
12 capacity that came with the plant can now be used  
13 once again with no negative impact on the existing  
14 transmission grid.

15 This is a simulation of what the site  
16 will look like when the new plant is complete.

17 Getting back to the advantages of the  
18 site, transmission is one of the key  
19 considerations in siting a power plant. If you  
20 have to travel long distances to get your energy  
21 to market, or if you have to mitigate large  
22 numbers of overloads caused by your project, you  
23 can make the entire project uneconomic.

24 This site comes complete with an  
25 existing PG&E substation located right there.

1 Interconnection to the grid is accomplished with  
2 1500 feet of 230 kV transmission cable. PG&E  
3 recently completed their preliminary detailed  
4 facility study for unit 8, and found that it had  
5 no serious negative effects on their transmission  
6 system.

7 Adequate water supply for cooling is  
8 another key ingredient. As I've already pointed  
9 out, unit 8 will be re-using cooling water from  
10 existing units 6 and 7. This means that we won't  
11 have to build any additional intake or discharge  
12 facilities, but will use the ones already there.  
13 The intake is right about there, and the discharge  
14 is right about there.

15 Fuel supply is another major  
16 consideration. PG&E's major north/south high  
17 pressure gas pipeline, called line 400, comes down  
18 from the Oregon border and crosses the San Joaquin  
19 River and comes ashore on the eastern boundary of  
20 our property right about there. And travels all  
21 the way down the eastern part of the boundary on  
22 its way to the Antioch terminal.

23 We will be tapping into that pipeline  
24 right about there. That's pretty direct. And the  
25 high pressure of the line allows us to avoid

1 building a gas compressor plant.

2 HEARING OFFICER SHEAN: Mr. Harris,  
3 would you point out again the interconnection with  
4 the PG&E gas line?

5 MR. HARRER: Yes, it's approximately  
6 there. We'll be able to show you on the site tour  
7 where exactly that is.

8 Here we provided a better view of the  
9 new plant. I want to point out some key  
10 components. Right here and right here are the two  
11 combustion turbines, and above in these big  
12 structures are just air cleaners.

13 These are the two waste heat boilers  
14 called HRSGs. They provide the steam to the steam  
15 turbine which is located in the steam turbine  
16 building here.

17 This is the switchyard which carries the  
18 power out in an overhead cable which goes out to  
19 the PG&E switchyard. And this is a ten-cell  
20 cooling tower. Those are the major components.

21 It's a very compact plan. It only takes  
22 up about 20 acres total.

23 Finally, I want to talk about schedule.  
24 Right now we're at the end of the second quarter  
25 of 2000 and we're just beginning the CEC

1 certification process. The staff will soon  
2 describe to you this very complicated process. We  
3 hope to complete it in about a year from now.

4 On completion of the project, and when  
5 we receive approval, we will move into the  
6 construction phase. That should take about 18  
7 months. That's an aggressive schedule, we  
8 realize, but we believe it can be done.

9 Final plant testing and acceptance is  
10 about a three- to four-month process, putting  
11 commercial start-up about the middle of February  
12 2003.

13 That concludes my remarks. Ron Kino,  
14 Southern Energy's Environmental Manager, will now  
15 address a few special considerations with the  
16 development of unit 8.

17 HEARING OFFICER SHEAN: Perhaps we can  
18 have Mr. Kino move over to the mike and join you.  
19 And let me just indicate to the audience when Mr.  
20 Harrer and the applicant are talking about when  
21 the facility is certified, from the Commission's  
22 point of view it's if the facility is certified.

23 All this should be phrased in the  
24 subjunctive so that you understand that nothing is  
25 foregone, no decisions have been made. The

1 decision to do whatever is going to be done will  
2 be based upon the record that is developed over  
3 this approximately eight- to nine-month period.

4 So that you should hear, or at least  
5 understand, this is where the project is proposed.  
6 If it is built it would be built at this site,  
7 perhaps in the manner described by the applicant.  
8 So everything is conditional.

9 Nothing has been approved at this point,  
10 and it can only be approved following the  
11 Commission's regulatory review process.

12 MR. KINO: Thanks, Mark. My name is Ron  
13 Kino. Let me point out sitting at this table is  
14 Dale Shileikis from URS Dames and Moore. Dale and  
15 the URS Dames and Moore folks are the ones that  
16 put together our application. And Dale is, as I  
17 mentioned, the Project Manager for that effort.

18 The Contra Costa CEC application for  
19 certification extensively researched and evaluated  
20 16 environmental issues areas. During this  
21 presentation we will only discuss a few of these  
22 areas. These areas are air emissions, traffic,  
23 noise and water resources.

24 First, here's a list of some of the  
25 regulatory agencies involved in the plant's

1 current environmental programs. The first agency  
2 is the Bay Area Air Quality Management District.  
3 The local air district is responsible for the air  
4 permits associated with this new build, and for  
5 the permits associated with existing operating  
6 units at the Contra Costa Power Plant.

7 Another agency is the Central Valley  
8 Regional Water Quality Control Board. The water  
9 board is responsible for the existing NPDES  
10 permit. NPDES stands for the National Pollutant  
11 Discharge Elimination System. And that governs  
12 the water discharge from the current plant site.

13 In addition to these agencies we are  
14 currently working with U.S. Fish & Wildlife  
15 Services, National Marine Fisheries and the Army  
16 Corps of Engineers in discussions concerning our  
17 current endangered species permit application.

18 Here are the environmental issues that I  
19 plan to discuss. Again, they are air emissions,  
20 traffic, noise and water resources.

21 Air emissions. Fall-out particulate  
22 historically occurred during the burning of fuel  
23 oil. The existing and new facility will only burn  
24 natural gas. The new unit will virtually have no  
25 particulate fall-out.

1                   Additionally, Southern has purchased and  
2                   is in active discussions with various groups to  
3                   obtain necessary offsets for this project.

4                   The next slide's on traffic. In the  
5                   traffic area we conducted a traffic survey to  
6                   assess the impacts of the new build. Our survey  
7                   indicated that there was not a significant impact  
8                   associated with this project. The nonsignificant  
9                   impact is due to the site's location, which is in  
10                  an industrial area with very little traffic. I  
11                  think the plant tour will indicate that.

12                  Noise. We also conducted sound tests to  
13                  assess noise impacts. We have engineered this  
14                  project with noise minimization as a goal.  
15                  Southern has just started some gas turbines in the  
16                  States of Texas and Wisconsin, and the noise  
17                  levels were found to be at very acceptable levels.  
18                  Our modeling shows that noise levels at our  
19                  fenceline will be insignificant.

20                  The last issue I plan to address is  
21                  water resources. And as Mark previously  
22                  mentioned, the new unit 8 will not require the use  
23                  of any additional cooling water source, but will  
24                  actually recycle and reuse the water from units 6  
25                  and 7. Also, there will be no change in the

1 amount of discharge from this project.

2 That concludes my presentation.

3 HEARING OFFICER SHEAN: Mr. Harrer, is  
4 that it from the applicant?

5 MR. HARRER: That's it.

6 HEARING OFFICER SHEAN: All right.

7 PRESIDING MEMBER KEESE: Mr. Harrer, I  
8 do have one question. In both the slides of the  
9 site and the rendition of what the project would  
10 look like after completion, which I see are on the  
11 wall over here, also, I note six or eight what  
12 looks like oil storage tanks in the background.

13 MR. HARRER: Those are existing, yes.

14 PRESIDING MEMBER KEESE: And they're  
15 staying?

16 MR. HARRER: Yes.

17 PRESIDING MEMBER KEESE: And are they  
18 affiliated with the power plant?

19 MR. HARRER: Yes, they're part of the  
20 property.

21 PRESIDING MEMBER KEESE: I heard that  
22 you ---

23 MR. HAWKINS: I can't hear you at all.

24 HEARING OFFICER SHEAN: -- you're only  
25 going to be burning natural gas, however?

1                   MR. HARRER: That's right. That's  
2 correct. The fuel oil has been emptied, it's no  
3 longer there.

4                   PRESIDING MEMBER KEESE: Thank you.

5                   HEARING OFFICER SHEAN: Mr. Hawkins,  
6 we're going to move this so you can hear the  
7 staff. And just for your information, sometimes  
8 when you think you're cut out, people are not  
9 talking.

10                  MS. LEWIS: My name is Kae Lewis and I'm  
11 the Project Manager for this AFC process at the  
12 Energy Commission. You should have these  
13 handouts, the copies of my slides. They should  
14 have been made available as you came in the door.  
15 I think they're now being passed out.

16                  What I'm going to do is talk a little  
17 bit about our application for certification  
18 process. And then talk about some of the issues  
19 which our technical staff has identified that  
20 could possibly delay the schedule or be  
21 contentious. And this is just a very initial  
22 scoping.

23                  Joe? Are you there?

24                  MR. HAWKINS: Yeah.

25                  MS. JETTON: My name is T. June Jetton.

1 And I am calling to be part of the conference  
2 call. The leader is Roberta Mendoza. And the  
3 password is Contra Costa.

4 MS. MENDONCA: Okay, T.J., you've joined  
5 the conference call. So the meeting is in  
6 progress. You are on the line with Joe Hawkins,  
7 and the staff is going over their overview of  
8 their analysis. So we can hear you very clearly.

9 MS. JETTON: Thank you very much.

10 MS. LEWIS: We're just now starting to  
11 talk about the process.

12 I just wanted to identify the players  
13 involved with this process. At the Energy  
14 Commission we have a five-member Commission who  
15 will be making the ultimate decision regarding an  
16 acceptance or rejection of the application.

17 They will be guided by a project siting  
18 committee, headed by William Keese, Presiding  
19 Member, and Michal Moore, Associate Member. They  
20 will be assisted by Garret Shean, who is here  
21 conducting the meeting today. He'll provide legal  
22 guidance and conduct these hearings.

23 All of the other players here, they're  
24 all in a row because they're all on equal footing,  
25 providing input to the decision-makers. And those

1 are the project, Southern Energy, who's just given  
2 a presentation, all the local state and federal  
3 agencies, the Energy Commission Staff, which I  
4 coordinate, and then the Intervenors and members  
5 of the public. And Roberta Mendonca assists them,  
6 as Public Adviser.

7 In the AFC process the CEC has -- the  
8 Energy Commission, excuse me, I'm using an  
9 acronym, has been charged with assessing the  
10 environmental impacts of each new power plant.  
11 And the development and implementation of any  
12 feasible mitigation measures.

13 The purpose of the siting process is to  
14 insure a reliable supply of electrical energy is  
15 maintained at a level consistent with the need for  
16 such energy for the protection of public health  
17 and safety, for the promotion of the general  
18 welfare, and for environmental quality protection.  
19 That is our official mandate.

20 The Energy Commission siting process has  
21 jurisdiction over thermal power plants of 50  
22 megawatts or greater, and all the related  
23 facilities that have to do with operating these  
24 power plants, such as transmission lines, water  
25 supply lines, gas lines, waste disposal facilities

1 and access roads.

2 In our process we coordinate very  
3 closely with the federal, state and local  
4 agencies. And this is a CEQA equivalent process,  
5 similar to an EIR process.

6 What this process attempts to achieve is  
7 a full review of environmental impacts of a  
8 project; an engineering analysis of the facility  
9 design and the design of all the related  
10 structures; a review of compliance with legal  
11 requirements, federal, state and local.

12 It involves public workshops and  
13 hearings through the entire process. And it  
14 results in certain documentation. The first one  
15 there, the preliminary staff assessment, and also  
16 the final staff assessment basically provide the  
17 recommendations to the Energy Commission who will  
18 be making the final decision on acceptance or  
19 rejection of the plant, which is embodied in the  
20 Presiding Member's Proposed Decision of the two-  
21 member Committee.

22 And then ultimately the five-member  
23 Commission gives the final decision on acceptance  
24 or rejection of a certification. And if  
25 acceptance, what conditions under which a plant

1 would be constructed and operated.

2 The staff works closely with these  
3 agencies. This is just an initial list of the  
4 agencies which have thus far been mentioned in the  
5 AFC, and we have spoken to briefly.

6 Here's a chart of the process phases.  
7 The first phase, prefiling. That happens before  
8 an application for certification, AFC, is even  
9 submitted. It helps the applicant understand all  
10 the rules and regulations on how to make the  
11 filing.

12 The first stage is determining if the  
13 application is adequate, does it have enough  
14 information to even get into the review process.

15 The next stage is discovery. That's  
16 really where we are now. Having the information  
17 hearing and the site visit, which is written  
18 there, that's what we're doing today. And we'll  
19 be following that up with data requests and other  
20 meetings and workshops. This is an information-  
21 gathering stage.

22 Next will be the analysis stage which  
23 will result in the preliminary staff assessment,  
24 and ultimately the final staff assessment, the  
25 recommendations that we will be giving to the

1 Commission.

2 And, of course, there will be workshops  
3 and hearings in which the public and intervenors,  
4 et cetera, will be participating.

5 The next stage is the next Committee  
6 hearings in which testimony is provided; this is a  
7 formal legal procedure. And responding to the  
8 final staff assessment.

9 Getting towards the end of this 12-month  
10 process is the initial Committee decision, and  
11 then ultimately the decision of the full  
12 Commission on the acceptance or rejection of plant  
13 certification, and conditions for construction and  
14 operation.

15 At the end of the 12-month process, if a  
16 plant is accepted, it will then go into a  
17 construction compliance phase in which all of the  
18 conditions which were developed in the Commission  
19 decision will be monitored.

20 Here's a list of the people that you may  
21 contact at the exhibit number. You have that in  
22 your package there. And the name of the Project  
23 Director at Southern Energy.

24 Let me talk about the identification  
25 report, which we have copies of here, and it's

1 also on our website.

2           What's the purpose of this report? We  
3 put this out as a very initial scoping to inform  
4 participants of potential issues on this project.  
5 We would like early focus on the things that will  
6 be a problem which might delay the schedule, or  
7 which may ultimately result in the rejection of  
8 the project. We want to flag issues for targeted  
9 attention.

10           We want to make it real clear that this  
11 is considered the first step. There may be issues  
12 that those of you sitting here are thinking about,  
13 which are not in this report. This is only a  
14 first take. We know that other issues may  
15 certainly arise throughout this process, but will  
16 be dealt with just as thoroughly as anything I  
17 mention today.

18           What constitutes an issue? We were  
19 looking at impacts that might be difficult to  
20 mitigate; looking at issues that might represent  
21 noncompliance with federal, state or local laws.  
22 Also things which may be contentious. Things that  
23 we know or suspect the public or intervenors may  
24 have concerns or objections about.

25           The issues, these very early issues that

1 we've identified, are in six areas: air quality,  
2 biological resources, environmental justice,  
3 transmission system engineering, visual resources  
4 and water resources.

5 And the first two, air quality. The key  
6 agencies with jurisdiction in this area are the  
7 California Air Resources Board and the Bay Area  
8 Air Quality Management District. They regulate  
9 the emissions of certain air pollutants for large  
10 stationary sources such as power plants.

11 In this case the Bay Area Air Quality  
12 Management District is requiring that emissions be  
13 offset at other sources in the vicinity of the  
14 Contra Costa Power Plant. Offsets will be  
15 required for PM10-particulate matter, NOx-nitrogen  
16 oxides, and VOCs-volatile organic compounds which  
17 contribute to ozone.

18 In the AFC the applicant indicated that  
19 they have two banks certificates that complete  
20 their offset requirements for NOx, but they still  
21 need their PM10 and VOC credits.

22 These additional offsets must be  
23 obtained, approved and banked before the air  
24 quality district will issue a preliminary  
25 determination of compliance, and this is very

1 critical to our process, and could constitute a  
2 delay.

3 The second air quality issue is that a  
4 cumulative air impact analysis will need to be  
5 performed. This is normally required, or may be  
6 required to take a look at impacts of this plant  
7 in conjunction with plants which may become  
8 operational in a certain mile radius.

9 The purpose is to determine whether  
10 estimated emissions may violate any ambient air  
11 quality standard.

12 The applicant has submitted data for  
13 this analysis to be done. And until the Energy  
14 Commission completes that analysis, we can't yet  
15 say that there are or are not cumulative air  
16 impacts.

17 Biological resources. Our chief concern  
18 here is that the legal operation of the proposed  
19 cooling system for unit 8, which is, as the  
20 applicant has described, that of units 6 and 7, is  
21 detrimental to fish and results in the taking of  
22 endangered or threatened species that happen to be  
23 listed under federal and state law.

24 And some of these species are salmon,  
25 split-tail, smelt, steelhead. And these fish may

1 be subject to entrainment and impingement in the  
2 pumping of water into the plant, and then thermal  
3 and chemical effects on water being discharged  
4 from the plant.

5 The applicant indicates in the AFC that  
6 Unit 8 will cause just a very minor increase in  
7 the taking amount, and that this should not  
8 warrant evaluation of alternative cooling  
9 technologies.

10 We want to investigate if this is true  
11 in the short run, but we're really concerned about  
12 the long run, especially with the retirement of  
13 units 6 and 7. And this evaluation of the intake  
14 and discharge structures, this evaluation may  
15 certainly be necessary.

16 The next issue is environmental justice.  
17 Our AFC process determines if there are health  
18 impacts from the proposed project. An  
19 environmental justice analysis determines first if  
20 there is an environmental justice population, this  
21 normally consisting of minority and low-income  
22 residents. And if the project health impacts fall  
23 disproportionately on those environmental justice  
24 populations.

25 We think that an analysis of this is

1 warranted because the plant is being proposed for  
2 what's considered a highly industrial location,  
3 with other power plants in the vicinity. The  
4 second reason is that the U.S., there is currently  
5 pending at the USEPA a complaint concerning  
6 environmental justice which alleges discriminatory  
7 effects involved in both the Pittsburg and Delta  
8 Energy Center plants.

9 The third reason is that the  
10 demographics of Contra Costa County do indicate  
11 minority populations. We don't know a whole lot  
12 about the demographics of the populations affected  
13 by the plant. And that's something that we have  
14 to do an analysis of.

15 Next item is transmission system  
16 engineering. The really most important piece of  
17 information for us in evaluating any impacts  
18 involved with transmission interconnection is the  
19 detailed facility studies, which is performed,  
20 this analysis is performed by the transmission  
21 owner, PG&E. And it must be submitted to the  
22 Independent System Operator and to the Energy  
23 Commission.

24 We do not yet have that study, and so we  
25 are unable to comment about whether or not there's

1 going to be an issue there. We will have to wait  
2 until we receive that.

3 The next issue is visual resources.  
4 Although there is -- although on the plant site  
5 right now it uses once-through cooling, the new  
6 unit 8 will be using cooling towers. And there  
7 will be a visible vaporous plume from that. And  
8 this is most likely a mitigatable issue, but we  
9 need to do the analysis of that.

10 The last one, water resources, there's  
11 several things. The staff is concerned about the  
12 water use of any proposed power plant. Our  
13 resources are, of course, very limited in  
14 California. And although the principal source of  
15 water for this plant is not fresh water, the  
16 impacts on the San Joaquin River, as we have  
17 mentioned, the impacts on the aquatic resources is  
18 substantial, and warrants an evaluation of any  
19 possible alternative cooling system technologies  
20 such as dry or wet-dry cooling, to reduce water  
21 use and discharge amounts. But, again, that's  
22 just an analysis that we need to perform and to  
23 consider any possible alternatives that might be  
24 more efficient.

25 The second item is that -- mentioned a

1 little earlier was the NPDES permit for discharge  
2 from the plant. Presently the current NPDES  
3 permit expires in October. The current  
4 application to renew that permit does not  
5 include -- for the current Contra Costa Power  
6 Plant does not include unit 8.

7 And the applicant is not viewing this as  
8 a new source. We want to do an analysis of that  
9 and definitely coordinate with the regional water  
10 quality board to see if, in fact, they are not  
11 going to regard this as a new source. And also if  
12 they may be considering more stringent regulations  
13 in the future that might play a part in conditions  
14 imposed for unit 8.

15 The last item is the California Water  
16 Code identifies that use of potable domestic water  
17 for cooling towers is not a reasonable use of  
18 water if suitable recyclable water is available.

19 The applicant intends to use potable  
20 water only for small domestic sources in the  
21 plant. But they will need to use cooling water on  
22 certain days when the San Joaquin River is of a  
23 quality that is too degraded, I believe too  
24 saline, which is caused by apparently spring run-  
25 off problems. And when the river is in that

1 condition they will need to use potable water from  
2 the City of Antioch.

3 Alternatives have been evaluated by the  
4 applicant. They didn't think their alternatives  
5 were very good for the use of recycled water for a  
6 cooling water on a regular basis, because it's not  
7 sufficient enough, but we definitely would like to  
8 take a look at this issue to make sure we're in  
9 compliance with the water code.

10 And that is the end of the issues. As I  
11 said, these are just an initial list of issues  
12 which we want to investigate.

13 Going on to the last thing, which is the  
14 schedule. As described earlier, this is a one-  
15 year process typically. Some of the highlighted  
16 events on this schedule are the preliminary staff  
17 assessment, which would be October 27th. That,  
18 and the final staff assessment scheduled the end  
19 of December are really the key products which will  
20 be making -- providing a recommendation to our  
21 Commission about the certification of this plant.  
22 What the staff believes is why, should the plant  
23 be accepted, what conditions under which it should  
24 be accepted, or the proposal should be rejected.

25 And from there will be hearings after

1 the final staff assessment, in which case, and  
2 also workshops prior to that, where the public and  
3 other agencies will definitely have input into  
4 that process.

5 At the tail-end of the schedule is the  
6 Commission adopting a decision which is roughly  
7 one year from when this application was accepted,  
8 enough information to be accepted by the  
9 Commission.

10 Then again I just put this slide up  
11 again. Contacts at the Energy Commission, and the  
12 Project Director at Southern Energy.

13 And that concludes my remarks.

14 PRESIDING MEMBER KEESE: Thank you. We  
15 have a number of agencies who indicated a presence  
16 here. Are there any of them who would care to  
17 make comments at this time? Come forward, please.  
18 And then after that we'll ask the City and the  
19 County if they'd like to make comments.

20 If you could take a seat over here, I  
21 think, near the microphone and the speakerphone.  
22 We're trying to accommodate our phone guests.

23 MS. LAGANA: For the record, my name is  
24 Paulette Lagana, L-a-g-a-n-a. I represent CAP-IT,  
25 Community Abatement of Pollution and Industrial

1 Toxins.

2 We're an environmental --

3 PRESIDING MEMBER KEESE: You're a little  
4 ahead of us, but nobody objects, so I'll let you  
5 go.

6 MS. LAGANA: I thought you wanted me to  
7 say who I was, and then --

8 PRESIDING MEMBER KEESE: No, we were  
9 actually looking for agencies. But, go ahead.

10 MS. LAGANA: I'm sorry, --

11 PRESIDING MEMBER KEESE: Go ahead,  
12 Paulette, you got it.

13 MS. LAGANA: Sure. We're an  
14 environmental education group here in East County,  
15 and our members represent Bay Point, Pittsburg and  
16 Antioch.

17 The comments I would like to make is I  
18 understand that there's going to be some public  
19 hearings and meetings and workshops, and I would  
20 very much appreciate if the Commission would  
21 consider having these public workshops, meetings  
22 and hearings here in East County, as opposed to in  
23 Sacramento.

24 And at a time when most working people  
25 can attend, which is later in the day than you're

1 having this particular meeting today.

2 HEARING OFFICER SHEAN: Thank you. And  
3 let me just indicate that we are having this  
4 meeting all over again at 6:00 p.m.

5 MS. LAGANA: All right.

6 HEARING OFFICER SHEAN: So members of  
7 the citizenry who are at work now can come here  
8 and basically get the same presentation and have  
9 the same opportunity to make comments.

10 MS. LAGANA: That was not clear in many  
11 of the public information that was in the  
12 newspapers.

13 And also may -- I'd like to suggest that  
14 better signage for where the meeting is located.  
15 It's hard for people to get here.

16 That's my comments. Thank you.

17 HEARING OFFICER SHEAN: Thank you very  
18 much.

19 PRESIDING MEMBER KEESE: I can relate to  
20 that personally, the third shot was the best shot.

21 (Laughter.)

22 PRESIDING MEMBER KEESE: But we came  
23 direct today. The last two times we tried to find  
24 this place we took a tour of the foothills in  
25 getting here.

1 All right. Agencies, the air board, Mr.  
2 Wocasek, care to say anything?

3 MR. WOCASEK: No, not at this time.

4 PRESIDING MEMBER KEESE: Fish and Game?

5 MS. DeLEON: No comment.

6 PRESIDING MEMBER KEESE: Delta Diablo  
7 Sanitation District?

8 MR. GASSE: No, thank you.

9 PRESIDING MEMBER KEESE: City of  
10 Antioch?

11 MR. HALL: No comment.

12 PRESIDING MEMBER KEESE: Contra Costa  
13 Department of Health?

14 MR. AMIN: Yes, I have some questions.

15 PRESIDING MEMBER KEESE: Feel free.

16 MR. HAWKINS: I can't hear a thing  
17 that's going on. It sounds like you're way off in  
18 the distance.

19 PRESIDING MEMBER KEESE: Nothing was  
20 happening there. I was calling for responses to  
21 the preliminary statements and there were none,  
22 except the Contra Costa County is now going to  
23 make a statement.

24 MR. AMIN: This is Habib Amin. I'm  
25 representing Contra Costa County's Health Services

1 Department.

2 I would like to just point out that the  
3 method of the control of NOx for this project is  
4 certainly a significant impact to Contra Costa  
5 County, and we just want to make sure that we are  
6 aware of the alternative evaluations for the  
7 control of NOx, which would possibly require  
8 anhydrous ammonia versus aqueous ammonia.

9 And so we certainly would like to  
10 provide input, if we can, in that process to make  
11 sure that if it's possible to be involved in that  
12 process.

13 PRESIDING MEMBER KEESE: The answer is  
14 categorically yes. You will be involved in the  
15 process. Staff is fully aware and the applicant  
16 is fully aware of your interest. So you will be  
17 involved.

18 MR. AMIN: Thank you.

19 PRESIDING MEMBER KEESE: Are there any  
20 other agencies that care to be heard from at this  
21 time?

22 All right. We've heard from Paulette.  
23 Joe Hawkins. Mr. Hawkins?

24 MS. MENDONCA: Joe, there's been a  
25 series of questions, does anybody want to comment.

1 The answers have all been no. It's now your turn,  
2 are you ready to make comments?

3 MR. HAWKINS: Yes, I am. I have  
4 questions, also. If there's anyone there to  
5 answer these questions.

6 MS. MENDONCA: We won't know until you  
7 ask your questions.

8 MR. HAWKINS: Okay. Well, first off,  
9 does Southern Energy value its public relations  
10 locally? I need to know this, first off, before  
11 we even get going.

12 PRESIDING MEMBER KEESE: I think on  
13 behalf of Southern you could say certainly they  
14 hope to build this power plant eventually, so I'm  
15 sure that they're here to deal with the community.

16 MR. HAWKINS: Could somebody relay that,  
17 I couldn't hear a word --

18 MR. HARRER: Yes, the answer's yes.

19 MR. HAWKINS: Okay. Good. I noticed  
20 they were giving the illustration, I should say,  
21 of a 30-year-old car. And, well, to me, you know,  
22 we're talking units 6 and 7 now. Are they going  
23 to be retired?

24 MR. HARRER: That is not the current  
25 plan.

1                   MR. HAWKINS: Okay, because I noticed  
2                   the female speaker saying that a retirement of  
3                   units 6 and 7 when she was bringing it out, when  
4                   she was talking.

5                   If that's not the plan what kind of  
6                   mitigation on-site are you going to do for the  
7                   offsets?

8                   MR. HARRER: We plan to do a NOx  
9                   retrofit, which will greatly improve the plant's  
10                  emissions. Who would be best to speak to that?  
11                  John Lague.

12                  MR. HAWKINS: I'm not talking about what  
13                  type of technologies you're using, I'm talking  
14                  about as far as pollution mitigation.

15                  MR. HARRER: That's what he can speak  
16                  to. He can speak to the reduction in the  
17                  pollution levels from current.

18                  MR. HAWKINS: All right.

19                  PRESIDING MEMBER KEESE: John, let's put  
20                  you in the right spot so that both the recorder  
21                  and the people in the audience and on the phone  
22                  can hear you.

23                  MR. LAGUE: Hi, this is John Lague from  
24                  Dames & Moore. And I heard that you have a  
25                  question?

1                   MR. HAWKINS: Yeah, you know the  
2 mitigation for units 6 and 7, are you guys going  
3 to cut down their emissions also in the process of  
4 doing all this? Or what's going to be the deal  
5 here? I mean I know like Calpine and Bechtel,  
6 they're stacked on top of the pollution locally.  
7 But you guys have an opportunity to take and knock  
8 down pollution because you have these older  
9 plants. You can upgrade them or whatever, and  
10 knock them down.

11                   I want to know what your plans are in  
12 that respect as far as local pollution.

13                   MR. LAGUE: Well, as a matter of fact  
14 there is a mandate to do that under the Bay Area  
15 Air Quality Management District rules. There's a  
16 rule 911 which requires all the existing large old  
17 utility boiler power plants to retrofit NOx  
18 controls. And Southern's on a schedule to do that  
19 at really all three of their plants.

20                   In some cases where it's made sense to  
21 do that, they are first retrofitting the burners  
22 on the boilers to use low NOx burners. And then  
23 they're going to follow that with selective  
24 catalytic reduction.

25                   And, in fact, we're in the process of

1       permitting the first one of those at the Contra  
2       Costa Power Plant unit 7. And that application is  
3       into the Bay Area AQMD to make sure that we'll get  
4       permitted to do that. And the outage for the unit  
5       7 to install that control equipment is scheduled  
6       for next March.

7               MR. HAWKINS: Okay. Now, I have another  
8       question. Will that mitigation that you're doing  
9       on units 6 and 7 and possibly on the Pittsburg  
10      Power Plant that Southern owns, also, will that  
11      offset your new plant totally locally?

12             MR. LAGUE: Well, I haven't really done  
13      the calculation in that way. They will be reduced  
14      by about 90 percent, and then well, actually we  
15      have done a comparison of before and after.

16             If you take the power plant's aggregate,  
17      kind of before and after case, in other words,  
18      compare the emissions that they emit now versus  
19      what they will emit once the new units are in, and  
20      the older units have been retrofitted, I've done  
21      that at least for oxides of nitrogen. And we have  
22      a more than 80 percent reduction in the latter  
23      case compared to the way they are now.

24             MR. HAWKINS: Okay, now will this -- is  
25      there a possible way you could send me all these

1        calculations when you have them done, and put them  
2        into U.S. standards instead of metric?

3                MR. LAGUE: I guess.

4                MR. HAWKINS: Appreciate it. Okay, now  
5        as far as the water, you're going to re-use the  
6        water that's coming out of units 6 and 7, correct?

7                MR. LAGUE: I'm going to have to pass  
8        that to another person who knows more about the  
9        water system.

10               MR. KINO: Joe, what's your question on  
11        water?

12               MR. HAWKINS: Are you going to just re-  
13        use the water that's coming out of units 6 and 7  
14        after it cools down, right?

15               MR. KINO: Actually before it even cools  
16        down, we're taking it out of the out-fall.

17               MR. HAWKINS: Okay, and then you're  
18        going to take the water, now is there going to be  
19        any arsenic or cadmium added into that water after  
20        the cooling down process?

21               MR. KINO: No, this is once-through  
22        cooling water that's coming directly from the  
23        river that's used to cool the condenser.

24               MR. HAWKINS: Right.

25               MR. KINO: So we're not adding anything

1 to that.

2 MR. HAWKINS: Well, I know, but when you  
3 do the cooling process do you add any other kind  
4 of chemicals with it or anything that's going --

5 MR. KINO: Oh, any sort of cooling water  
6 treatment process?

7 MR. HAWKINS: Right.

8 MR. KINO: No, I'm not sure about that  
9 detail. -- someone knows --

10 MR. HAWKINS: Okay, could I get that  
11 information sent to me, also?

12 MR. KINO: Hang on, there may be someone  
13 here that could answer it.

14 There are some water treatment chemicals  
15 with the cooling tower, but they're not hazardous.

16 MR. HAWKINS: Okay, are there any  
17 biological, you know, like are you going to use  
18 water straight out of the sewage system with the  
19 biological element to it?

20 MR. KINO: We are not using wastewater,  
21 we're using river water.

22 MR. HAWKINS: Right, but say you don't  
23 have enough or you need to supplement it, are you  
24 going to do that route?

25 MR. KINO: No. There's no plans to use

1 wastewater.

2 MR. HAWKINS: Okay, that's good, all  
3 right. And now, as far as environmental justice,  
4 I noticed you guys are talking about the  
5 minorities but you've left out the poor. And  
6 Antioch has a high number of poor people.

7 And also noticed on your drafts on air  
8 quality that they're 20 years old. They don't  
9 even reflect the population as it is today.

10 So how can I compare what's going to be  
11 effective and what's not here, you know, as far as  
12 your application goes?

13 These are basically the main issues I  
14 have right now. I can think of some other ones,  
15 but talking about what we're talking about right  
16 now, I just wanted to bring these out.

17 And does anybody have a comment on the  
18 environmental justice issue and the poor?

19 MS. JETTON: Yes, I would like to ask  
20 about the selenium issue there. The San Joaquin  
21 River is notorious for carrying waste from --  
22 agricultural waste --

23 PRESIDING MEMBER KEESE: I'm sorry,  
24 you're going to have to identify yourself, please.

25 MS. JETTON: Oh, I'm sorry, I'm

1 T.J. Jetton.

2 PRESIDING MEMBER KEESE: Do you have --

3 MS. JETTON: And I'd like to discuss the  
4 selenium issue.

5 PRESIDING MEMBER KEESE: D.J.? P.J.?

6 MS. JETTON: Yes?

7 PRESIDING MEMBER KEESE: P.J., we're not  
8 going to be able to engage in a dialogue on the  
9 telephone here, so can we finish with Mr. Hawkins,  
10 and then we're going to get to others? Can you  
11 hold a second?

12 MS. JETTON: Thank you.

13 PRESIDING MEMBER KEESE: Okay, if you  
14 can hold your comment just a second.

15 Joe, this is a very preliminary hearing  
16 in which people are just giving their ideas of  
17 what the major issues are. I think we've clearly  
18 gotten from you what you consider the issues are.  
19 And you heard from staff and the applicant what  
20 they think they're going to have to deal with.

21 So, is that good --

22 MR. HAWKINS: You're far away and I sure  
23 could use --

24 PRESIDING MEMBER KEESE: -- enough --

25 MR. HAWKINS: -- somebody to translate

1 for me.

2 PRESIDING MEMBER KEESE: Pardon?

3 MR. HAWKINS: You're real far away, I  
4 can hardly hear you.

5 MS. MENDONCA: Chairman Keese was  
6 telling you that he felt that you had had an  
7 opportunity to have an overview of the issues that  
8 the staff is going to be looking at, and an  
9 opportunity to hear what the applicant answered  
10 for your questions.

11 My admonition at this point would be,  
12 Joe, you have an opportunity, as an intervenor, to  
13 do data requests, and perhaps some more fine  
14 points of your questions can be answered by making  
15 formal data requests.

16 MR. HAWKINS: Okay.

17 MS. MENDONCA: Okay?

18 MR. HAWKINS: There was one other thing  
19 that I remembered as far as the air quality. In  
20 an estimation of the impacts and so forth that you  
21 did, you guys considered the residential natural  
22 gas use in the winters?

23 MR. HARRER: I'm not sure if we  
24 understand the question.

25 MR. HAWKINS: So you didn't, okay.

1       Yeah, when you do that research is there any way  
2       you can include that in, because I know the winter  
3       is supposed to be the worst time of the year for  
4       pollution levels.

5               MR. HARRER:   Okay.

6               PRESIDING MEMBER KEESE:  We will.  The  
7       answer is we will.

8               Before we hear T.J., do we have -- CURE,  
9       did you have any comments?  Are there any other  
10      intervenors that I've skipped?

11              AUDIENCE SPEAKER:  I have a question  
12      should you like to call me.

13              PRESIDING MEMBER KEESE:  Have you  
14      formally intervened in this case?

15              AUDIENCE SPEAKER:  No, I haven't, but I  
16      would like to.

17              PRESIDING MEMBER KEESE:  Okay, well --

18              AUDIENCE SPEAKER:  Is that too late?

19              PRESIDING MEMBER KEESE:  No, it's not  
20      too late.  Ms. Mendonca will let you know --  
21      you're going to be able to speak, anyway.  But  
22      let's take T.J. at this time.  T.J.

23              MS. JETTON:  Yes.

24              PRESIDING MEMBER KEESE:  You're on, and  
25      if you have any questions to ask, feel free.

1 MS. JETTON: Yes, I would like to ask a  
2 question mark, a big question mark about selenium,  
3 a big question mark about -- black lung disease  
4 from air quality pollution, and I'd like to ask  
5 about the poor fish. Who's going to protect the  
6 poor fish?

7 That is all I have to say at this time,  
8 thank you for hearing me.

9 PRESIDING MEMBER KEESE: Thank you very  
10 much.

11 Okay. And if you'd like to take the hot  
12 seat over here.

13 Hot seat?

14 PRESIDING MEMBER KEESE: Looks like the  
15 sun's hitting that, and I'm real glad I'm not  
16 sitting there -- warm seat.

17 I do appreciate the applicant dressing  
18 in blue, because it does cool off the room.

19 (Laughter.)

20 PRESIDING MEMBER KEESE: Identify  
21 yourself, please.

22 MS. BAKER: I'm Sharon Baker and I'm  
23 from Antioch. And I'm here today because I'm  
24 concerned about my health, number one, and my  
25 children's health, and my grandchildren and

1 everybody else's.

2 I didn't know about the Calpine/Bechtel  
3 until it was too late. I have read the entire  
4 Energy Commission report, by the way. Very  
5 interesting reading. Very difficult to understand  
6 because I didn't have privy to all the reports  
7 that supposedly are somewhere. So it didn't make  
8 a lot of sense as reading it.

9 I made a few notes as we were going and  
10 were talking about traffic. And I know that road  
11 very well. And there is very little traffic  
12 there. But I was just kind of wondering, you  
13 know, how do they get there? Do they just, you  
14 know, come out of the blue and become there?

15 Because won't they have to come from  
16 somewhere else to get onto Wilbur Avenue?

17 MR. HARRER: Who's they?

18 MS. BAKER: The traffic that we're  
19 discussing from the project.

20 MR. HARRER: I'm not clear. Employees  
21 or --

22 MS. BAKER: Well, whoever is going to be  
23 going there. You guys brought it up about the  
24 traffic. You said there would be little to no  
25 traffic there, and we would see today as we go out

1       there. I'm very familiar with that area. There  
2       is very little traffic. But if you're going to be  
3       bringing more traffic into the area, that's not  
4       our only concern. Our concern is where this  
5       traffic is coming from. And that needs to be  
6       noted.

7                   I mean that traffic just doesn't  
8       magically appear on Wilbur Avenue. It doesn't  
9       skip the freeway. It doesn't skip L Street or any  
10      other street, you know, it has to come from  
11      somewhere. So, that needs to be addressed, not  
12      just to say it's not much traffic on Wilbur  
13      Avenue, because the traffic has to come from  
14      someplace to get there.

15                   PRESIDING MEMBER KEESE: Staff, would  
16      you like to comment on what you look into when you  
17      look at the traffic.

18                   MS. LEWIS: They do definitely look at  
19      where traffic is originating from, so they know  
20      the full impact over different roads. So your  
21      concern is construction workers and ultimately  
22      employees at the plant, where they're going to be  
23      originating from, what other roads might be  
24      impacted --

25                   MS. BAKER: Correct.

1 MS. LEWIS: -- I think is what I hear  
2 you saying?

3 MS. BAKER: That is what I'm saying,  
4 they're coming from someplace, they're not just  
5 coming out of the blue.

6 MS. LEWIS: Right.

7 PRESIDING MEMBER KEESE: That will be in  
8 the report.

9 MS. LEWIS: That will be part of the  
10 analysis.

11 PRESIDING MEMBER KEESE: That will be a  
12 discussion topic.

13 MS. BAKER: Okay, the other thing I have  
14 here is this is called unit 8, and stupid me, I  
15 never heard of the other seven, you know, so then  
16 I become more concerned, what are these other  
17 seven units. And where are they? Who can answer  
18 that?

19 PRESIDING MEMBER KEESE: Well, I think  
20 the -- you were sitting a little too close,  
21 perhaps, --

22 MS. BAKER: Yeah, I was. In this  
23 information anywhere?

24 PRESIDING MEMBER KEESE: I don't know if  
25 it's in anything you have. It's on the --

1 MR. HARRER: We have a photograph --

2 PRESIDING MEMBER KEESE: -- photograph  
3 to the right over here.

4 MR. HARRER: We have a small photograph  
5 that I can give her to show her where the --

6 MS. BAKER: Okay.

7 PRESIDING MEMBER KEESE: Okay. That's  
8 good.

9 MS. BAKER: And there are also these big  
10 large stacks that's going to be putting out  
11 energy?

12 MR. HARRER: No. Five of the units are  
13 retired, not operating.

14 MS. BAKER: They're not operating. So  
15 there's three units that are operating? Two?

16 PRESIDING MEMBER KEESE: And they're  
17 going to build --

18 MS. BAKER: Where's the other one?

19 PRESIDING MEMBER KEESE: They're going  
20 to build one new one.

21 MR. HARRER: We're going to build one.

22 MS. BAKER: Oh, you're going to build  
23 another one. And this is all in the City of  
24 Antioch?

25 MR. HARRER: It's in the County.

1 MS. BAKER: In the County. How many are  
2 going to be in the City of Antioch, which I'm  
3 really, you know, Pittsburg/Antioch, what I'm  
4 concerned with.

5 MR. HARRER: I don't think any of the  
6 land is in Antioch, the City of Antioch.

7 MS. BAKER: Well, it's in the town of --  
8 outside the City of Antioch, the city limits,  
9 what?

10 MR. HARRER: The County.

11 MR. KINO: It's in the unincorporated  
12 part --

13 MS. BAKER: Okay, but I'm still going to  
14 breathe the air, there's not a line up there  
15 that's going to --

16 HEARING OFFICER SHEAN: Well, time out,  
17 we need to get your response on --

18 MS. BAKER: -- just magically come and  
19 say I'm not going to be --

20 HEARING OFFICER SHEAN: -- record,  
21 please. Or just repeat what he said with respect  
22 to --

23 MR. HARRER: Yes, the plant, itself, the  
24 land is in the unincorporated area of Contra Costa  
25 County.

1 MS. BAKER: Of Antioch?

2 MR. HARRER: It's not in Antioch.

3 MS. BAKER: No, but it's still outside  
4 the City of Antioch. If we ever decide to  
5 incorporate it, it would be in the City of  
6 Antioch.

7 MR. HARRER: I guess hypothetically that  
8 could be true.

9 MS. BAKER: Could be?

10 PRESIDING MEMBER KEESE: We're going to  
11 take a tour at 4:30. In about seven minutes  
12 they're going to have buses and take us over and  
13 show us what they're talking about, point things  
14 out.

15 MS. BAKER: Okay.

16 PRESIDING MEMBER KEESE: You're welcome  
17 to join in the tour.

18 MS. BAKER: The other question I had,  
19 you're talking about a pipeline, gas pipeline  
20 coming from --

21 PRESIDING MEMBER KEESE: They're talking  
22 about a natural gas pipeline that exists today.

23 MS. BAKER: It exists today?

24 PRESIDING MEMBER KEESE: And they're  
25 going to tap in --

1 MS. BAKER: What does that have --

2 PRESIDING MEMBER KEESE: -- to get their  
3 gas.

4 MS. BAKER: Okay. What does that have  
5 to do with Calpine and Bechtel? Does it have  
6 anything -- maybe I'll ask that type of a  
7 question. Does it have any --

8 PRESIDING MEMBER KEESE: Well, there are  
9 people here from Calpine/Bechtel. You could ask  
10 them where they're getting their gas from. I  
11 don't happen to remember. But, it could be from  
12 the same pipeline.

13 MS. BAKER: Okay, maybe I'm asking it  
14 wrong. Are you guys in partnership in any way  
15 with Calpine and Bechtel?

16 MR. HARRER: No, we are not.

17 PRESIDING MEMBER KEESE: Not that one  
18 has noticed.

19 (Laughter.)

20 MR. HARRER: Definitely not.

21 MS. BAKER: Well, like I said, I don't  
22 know, you know, so if I ask stupid questions --

23 PRESIDING MEMBER KEESE: Very good  
24 question.

25 MS. BAKER: -- that's just the way it

1 is.

2 MR. HAWKINS: Is it possible if I make a  
3 comment to her?

4 PRESIDING MEMBER KEESE: No, Joe.

5 MS. BAKER: Yeah, Joe, my phone number  
6 is 754-4507, give me a call, anxious to talk to  
7 you.

8 The reason I'm asking is because I found  
9 so many things with Calpine in the City of  
10 Antioch, and I'm, like, you know, I'm just a  
11 citizen and I just need to know.

12 When you guys go out and you buy PG&E,  
13 do you do it with the intentions that the City is  
14 going to give you all these rights that you need  
15 in order to put that plant up? Or who are you  
16 getting your rights from? The City of Antioch or  
17 from Contra Costa County?

18 MR. HARRER: Well, really, it's a  
19 combination. We're going through a process with  
20 the Energy Commission. They grant us a license.

21 MS. BAKER: Okay, but I know like you're  
22 taking our water, okay. Who gives you those  
23 rights?

24 MR. HARRER: Well, the water is from --

25 MS. BAKER: I mean you just can't go out

1           there and drain that river and do it --

2                   MR. HARRER:  We have a permit --

3                   MS. BAKER:  -- without somebody giving  
4           you an okay, I would imagine.

5                   MR. HARRER:  We have a permit.

6                   MS. BAKER:  You do have a permit?  And  
7           who is that from?

8                   MR. HARRER:  The Regional Water Quality  
9           Board.

10                  MS. BAKER:  The Regional Water Quality  
11           Board.  Because my concern was in drought years,  
12           what do we do for drinking water?  Because this is  
13           mainly where we get our drinking water, is from  
14           the river.  The majority of our water comes from  
15           the river.  So what are we supposed to do during  
16           drought.

17                  MR. HARRER:  Your point is that by us  
18           taking water from the river we're denying it to  
19           the City.  Well, we put that water back into the  
20           river.

21                  MS. BAKER:  Oh, you do it and --

22                  MR. HARRER:  It goes in and out.

23                  MS. BAKER:  Okay, so are you using  
24           chemicals --

25                  MR. HARRER:  No.

1 MS. BAKER: -- during the time that  
2 you're doing this?

3 MR. HARRER: No, it's --

4 MS. BAKER: It's not like Bechtel?

5 MR. HARRER: -- no, it only -- the  
6 temperature goes up a little bit.

7 MS. BAKER: Because I know Bechtel's got  
8 chemicals in theirs. And you have none in yours?

9 MR. HARRER: They're, --

10 MR. ROBINSON: Nonhazardous.

11 PRESIDING MEMBER KEESE: Wait, let's  
12 have a good answer for that one.

13 MR. ROBINSON: For the record, my name  
14 is John Robinson with Dames & Moore. We'll be  
15 using some water treatment chemicals which are  
16 benign. They have no impact at all. There won't  
17 be any hazardous chemicals used in the cooling  
18 system.

19 MS. BAKER: Will we get a list?

20 MR. ROBINSON: Yes, the list is actually  
21 already in the application for certification.

22 MS. BAKER: How can I get a copy of  
23 that?

24 PRESIDING MEMBER KEESE: Ms. Mendonca is  
25 going to take care of you when this is over, and

1 she will let --

2 MS. BAKER: Okay.

3 PRESIDING MEMBER KEESE: -- you know how  
4 you can do all of this stuff.

5 MS. BAKER: I was just wondering, I'm  
6 just curious how you go along and you come up with  
7 all of this stuff. And I know that Antioch's  
8 going to have to be involved in it somehow.  
9 They've got a representative from Antioch here.

10 Water from spring was mentioned, and it  
11 was something to do with the City of Antioch?

12 MR. HARRER: I'm not sure, what's the  
13 question?

14 MS. BAKER: What does the City of  
15 Antioch have to do with this plant? What  
16 permissions are they having to give to you guys?  
17 Because I know you had to get permission for the  
18 pipeline to be built. Or is that a different  
19 pipeline? Are you getting your gas from a  
20 different area than Calpine is?

21 MR. HARRER: Yes.

22 MS. BAKER: You are getting it from a  
23 different area?

24 MR. HARRER: It's on our property.

25 MS. BAKER: It's already on your

1 property. So where's -- I'm sorry, but where's  
2 Calpine connected to out there?

3 PRESIDING MEMBER KEESE: I don't know.  
4 When this is over you might ask Mr. Buchanan,  
5 who's here in the audience.

6 MS. BAKER: Mr. Buchanan?

7 PRESIDING MEMBER KEESE: He might be  
8 able to help you out.

9 MS. BAKER: Okay. Yeah, it's just  
10 interesting, all of these pipelines and all of  
11 this stuff coming in, and I -- you know, it's  
12 confusing. Who is going where and what's going to  
13 who.

14 PRESIDING MEMBER KEESE: Yes.

15 MS. BAKER: So, all right, you answered  
16 the one about the chemicals. And about the  
17 drought. So you're going to be putting the water  
18 right back into the river?

19 MR. HARRER: Correct.

20 MS. BAKER: Okay. Were you at the  
21 meeting the night of the Calpine, in Antioch?

22 MS. DeCARLO: Me?

23 MS. BAKER: Um-hum.

24 MS. DeCARLO: Yes, I was.

25 MS. BAKER: You were. Yeah, I was kind

1 of surprised to see you here as a staff member,  
2 because I thought you actually worked for  
3 Calpine --

4 MS. DeCARLO: No, I don't.

5 MS. BAKER: -- that night. You were  
6 so --

7 (Laughter.)

8 MS. BAKER: Well, she worked so  
9 vigorously to help Calpine get this through  
10 without the citizens of Antioch being aware that  
11 we're getting a pipeline down stuck around our  
12 face, so I was just kind of, you know, really  
13 surprised that you actually work for the staff.

14 MS. DeCARLO: I didn't participate. I  
15 didn't participate in that meeting. I was just  
16 there for training for this position.

17 MS. BAKER: Oh, when you got up and  
18 spoke that wasn't participating?

19 MS. DeCARLO: I didn't speak. You might  
20 be confusing me with the representative from CURE.

21 MS. BAKER: Okay, if I am, I'm really,  
22 you know, sorry.

23 MS. DeCARLO: I didn't speak at all  
24 during --

25 MS. BAKER: You didn't speak that night?

1                   PRESIDING MEMBER KEESE:   Okay, --

2                   MS. BAKER:   Well, then I'm not --

3                   PRESIDING MEMBER KEESE:   -- thank you.

4           I think --

5                   MS. BAKER:   Those are my questions, and

6           I'm going --

7                   PRESIDING MEMBER KEESE:   Great, and --

8                   MS. BAKER:   -- to have more questions.

9           And I want to know if I can be put on the mailing  
10          list and know when the meetings will be.

11                   PRESIDING MEMBER KEESE:   Yes, and Ms.

12          Mendonca will take care of everything.  You will

13          get all the assistance you need from Ms. Mendonca,

14          and that's all she does, --

15                   MS. BAKER:   Okay.

16                   PRESIDING MEMBER KEESE:   -- she and her

17          staff do nothing but answer questions that you're

18          interested in.

19                   Do we have anybody else -- nobody is

20          going to be stopped here, but we're ready to get

21          on the bus at 4:30, so if anybody else -- anybody

22          else in the public want to make a statement at

23          this time?  Come on forward.

24                   Right up, and you've got to sit down so

25          everybody can hear you.

1                   MR. ZUCKERMAN: I understand that the  
2 volume of water discharged will be -- my name is  
3 Brian Zuckerman.

4                   I understand that the volume of water  
5 discharged after 6, 7 and 8 are operating in  
6 tandem, will be the same as currently discharged  
7 from 6 and 7. What about the temperature of that  
8 water? Will the temperature be higher than it is  
9 today?

10                  MR. SHILEIKIS: The temperature may go  
11 up by a couple of degrees.

12                  PRESIDING MEMBER KEESE: Wait, we need  
13 to get you another mike. Either Mr. Harrer or --

14                  MR. SHILEIKIS: This is Dale Shileikis  
15 from Dames & Moore. The temperature, in response  
16 to your question about the return water from the  
17 cooling water system, may go up by several degrees  
18 at most, maximum.

19                  MR. ZUCKERMAN: Okay. And I also  
20 understand that you'll be using potable water in  
21 the cooling system in the event that the salinity  
22 of the water in the San Joaquin River becomes too  
23 high?

24                  MR. SHILEIKIS: That was an incorrect --  
25 that's not correct.

1 MR. ZUCKERMAN: That's not correct?

2 That was previously stated at some point in this  
3 presentation.

4 PRESIDING MEMBER KEESE: Do you want to  
5 repeat that? Mark, can you just repeat that  
6 answer?

7 MR. HARRER: Yes, that is not correct.  
8 Potable water will not be used.

9 MR. ZUCKERMAN: Potable water will not  
10 be used. Those are my only two questions.

11 PRESIDING MEMBER KEESE: Thank you.  
12 Anybody else in the public?

13 Are we ready for the tour? Fine. We  
14 will adjourn until 6:00 back here. And the buses  
15 are going to be up here, I believe, to meet us and  
16 take us on the tour. Feel free to have  
17 conversations with any of us as we go along this  
18 tour.

19 (Whereupon, at 4:30 p.m., the hearing  
20 was adjourned, to reconvene at 6:00  
21 p.m., this same day.)

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1 none, we will ask -- we understand that there are  
2 some people who would like to make a comment who  
3 have been here before.

4 And I think since we are going to  
5 expedite this proceeding and not put on those  
6 presentations again, we would make it available to  
7 those who took the tour to ask any particular  
8 questions, that they felt didn't get answered, at  
9 this time.

10 Would you like to make any statement on  
11 behalf of the District?

12 MR. SHAMIRO: Not at this time.

13 PRESIDING MEMBER KEESE: Thank you.

14 Gentlemen, would you like to make  
15 comment. And we'd prefer that you sit here and  
16 then I don't think that we have anybody on the  
17 telephone any more, but at least we'll have the  
18 recorder and the microphones, thank you.

19 MR. CHAPMAN: I'm Tony Chapman. I'm  
20 here representing Southern Company's nearest  
21 nonindustrial neighbor, the Sportsman Yacht Club,  
22 which all of you being on the site visit you  
23 noticed the rather large, white ferry building  
24 boat just over the property line. That was us.

25 And we're here as good neighbors of

1 Southern Company. We've had pretty good relations  
2 with them to date. They inherited problems from  
3 PG&E that they've continued to try to mitigate and  
4 take care of.

5 My question, get to what I'm supposed to  
6 be doing here is asking questions, my question to  
7 both Southern and the staff is having to do with  
8 the location of the site in relationship to our  
9 clubhouse.

10 We are the site's only nonindustrial use  
11 neighbor, and it appears to us the site has been  
12 stepped right on our front doorstep. And in being  
13 educated earlier today into the current status of  
14 the rest of the site, we're just wondering is  
15 there a logistics reason why this particular part  
16 of the site was picked for the unit?

17 MR. HARRER: Yes, the answer to that is  
18 primarily the cooling water issue. This is near  
19 the intake and discharge for units 6 and 7 that we  
20 wanted to use.

21 I understand your concern about having  
22 the site so close to your property. This was also  
23 the largest piece of open space that we had  
24 available on the site. And as a result, it made  
25 the most sense.

1           We did, if you'll notice, align the  
2           structures as close as we could, or as far away  
3           from your property as we possibly could, putting  
4           the switchyard next to your property, rather than  
5           the other way around, rather than putting the  
6           turbines next to it. So they are quite a ways  
7           away.

8           This photo-simulation is accurate, but  
9           is also misleading in some regards. It's not an  
10          exact representation of what's there. It's close.  
11          But we would be more than happy to meet with you  
12          and talk to you about your concerns.

13          We also want to be very good neighbors,  
14          and we've had a good relationship over the year  
15          and some months that we've owned the property.

16          And we appreciate their cooperation and  
17          we'll do what we can to mitigate their concerns.

18          MR. CHAPMAN: Thank you. With regard to  
19          this being your open space area, on the site  
20          visit, if everyone noticed, there was a lot of  
21          signs around.

22          That area where you've proposed here has  
23          been a recreational use area for many years, both  
24          being a private/semi-private type use.

25          And I'm just wondering, is there any

1 availability in your plan to keep that  
2 recreational use open in that area? Such as the  
3 launch ramp and things that you have that goes out  
4 into your --

5 HEARING OFFICER SHEAN: Why don't we  
6 just move one of those down, please.

7 MR. BITNER: I'm Joe Bitner, the Plant  
8 Manager for Southern Energy at the Delta Plants of  
9 both Antioch and Pittsburg.

10 We probably won't have that access  
11 there. We are looking at and will continue to  
12 look at other parts of the plant that might  
13 be -- we might be able to make some modifications  
14 to, to create a kind of a recreational area for  
15 our employees.

16 So whether it's on the other side of the  
17 plant, I couldn't tell you right now. But we are  
18 looking at that.

19 MR. CHAPMAN: But you do anticipate  
20 cutting off the access to the river?

21 MR. BITNER: I believe we are, yes, once  
22 we have the new generation in there.

23 MR. CHAPMAN: Oh, by the way, I want to  
24 say that the guides that we had were great out  
25 there. They knew a lot about the questions that

1       they were going to get faced with, and were able  
2       to answer all of them I could throw out.

3               And one answer that I did get, going  
4       back to comments that were made earlier today  
5       regarding the temperature of the water when it  
6       exits the plant, one of my guides mentioned that  
7       right now the maximum temperature of water that  
8       exits the plant is 86 degrees.

9               And we were told earlier that the  
10       temperature of the water would rise a few or  
11       several degrees, it wasn't really specified.

12              My question is, will that be in addition  
13       to this current maximum, or will that be in  
14       addition to just a current production level? Is  
15       this current maximum being changed?

16              PRESIDING MEMBER KEESE: You know, I  
17       think it would be productive just to make sure  
18       that this answer does get on the record  
19       eventually. It probably is speculative at this  
20       point, so I really think that's a very valid  
21       question. And I'm sure staff has noted that  
22       question. We'll get an answer.

23              MR. CHAPMAN: All right, and the other  
24       thing I want to say is as your nearest neighbor,  
25       our concerns are going to really revolve around

1 emissions. And the staff has got that on their  
2 list to hit on all the items.

3 The emission that we can see being the  
4 most problematic is the sound. What we were  
5 experiencing out there today, and having to speak  
6 to each other in small huddles in order to be  
7 heard, we experience that day in and day out at  
8 our site now. And we're just very concerned at  
9 that rising, that level of noise rising.

10 And with that, thank you.

11 PRESIDING MEMBER KEESE: Thank you. Do  
12 we have anybody else who wishes to comment? Wish  
13 they had commented before, and is re-thinking it?  
14 Any questions raised in the site visit?

15 All right. Mr. Shean, would you like to  
16 cover another issue?

17 HEARING OFFICER SHEAN: Just two  
18 housekeeping matters. First of all, in the name  
19 of efficiency and being modern, we propose to  
20 conduct an electronic filing pilot project for  
21 this particular proceeding. So that the parties  
22 to the proceeding can more efficiently both send  
23 and file and receive documents in the proceeding.

24 Now, I have an intervenor survey for  
25 that. And I'd like to hand that out to the

1        intervenors. Any intervenor representative not  
2        here we'll either email or snail-mail it to them  
3        so that we can begin to set this up.

4                Hopefully this will be a model both  
5        within our agency and for other agencies as to how  
6        to conduct their proceedings in the electronic  
7        age.

8                The second item deals with a revision,  
9        or revised format that the Committee seeks, or  
10       intends to employ with regard to some of its  
11       decision documents. And I have created a draft  
12       format of a revised project description which we'd  
13       just like the applicant to look at and then  
14       complete at your earlier convenience.

15               And if there needs to be discussions  
16       with respect to content on it, we can do that.  
17       And perhaps, if necessary, we can do it in a  
18       workshop or other format that will address some of  
19       the innovations the Committee intends to use in  
20       this particular proceeding. But the idea here is  
21       to get started on that.

22               PRESIDING MEMBER KEESE: Thank you.  
23       Okay, any questions for Mr. Shean? Everybody  
24       understood it perfectly.

25               All right. Seeing no additional

1 questions out there, or from anybody at the dias,  
2 this meeting is adjourned.

3 Thank you.

4 (Whereupon, at 6:40 p.m., the hearing  
5 was adjourned.)

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CERTIFICATE OF REPORTER

I, DEBI BAKER, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Hearing; that it was thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing, nor in any way interested in outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of June, 2000.

DEBI BAKER

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