

**LOS ESTEROS CRITICAL ENERGY FACILITY, PHASE 2
(03-AFC-2)**

Monthly Compliance Report # 4

LOS ESTEROS CRITICAL ENERGY FACILITY, LLC

September 2011

For

California Energy Commission

Los Esteros Critical Energy Facility, Phase 2
(03-AFC-2)
Monthly Compliance Report #4
September 2011

1. LECEF Project Construction Status

Construction continued during the monthly compliance reporting period focusing primarily on the circulating water pipe, cooling tower basin (CT), and steam turbine generator (STG) foundation; key components of the Los Esteros Critical Energy Facility's infrastructure. There were no significant delays or changes to the project schedule. The project is approximately 8.13 % complete (cumulative through September 23rd) and construction is at 6.39 %. Work continues to proceed with engineering, procurement, permitting and compliance as well as scheduling and construction planning with the mission of completing the foundation and underground utilities work by the end of 2011. Moreover, submittals to the CBO continue as the site under goes transformation.

Listed below are the major events that have occurred during the monthly compliance reporting period:

- Constructing pump pit walls including forms and reinforcing steel
- Section #3 circulating water pipe trenches/backfilling
- Rerouting of utility lines including hydro testing of HDPE (high density polyethylene) pipes
- Installing rebar in steam turbine generator slab
- Setting forms in order to pour slurry under existing pipe lines and duct banks where they intersect with Section #3 circulation water piping
- Excavating and bedding trenches for new Section #2 P&IDs (piping and instrumentation diagram) that intersects and goes underneath existing rerouted pipe lines
- Digging trench, placing pipe and backfilling sanitary sewer line next to office trailers
- Site fabrication of 2" blow-down line & HDPE drain piping
- Setting forms for second wall pour on south end of cooling tower foundation
- Setting wall forms, embeds and rebar for walls at cooling tower pump pit foundation poured
- Setting forms and installing rebar for base mat at STG/Condenser foundation. Installing templates for Condenser anchor bolts at east end of foundation poured
- Completed installation of forms, scaffold, rebar and embeds for (6) STG columns. Concrete placed on September 22nd. Started installation of scaffold for STG pedestal
- Started removal of forms on STG base mat. Cosmetic patching was completed on west side of mat and backfill has commenced
- Completed bench test of HDPE fire water line; pipe being set to correct elevation and coordinates. Backfill (slurry) has started under and over the pipe
- Completed welding and air test of new 1" IAS (instrument air system) line and bench test of new 10" raw water line at pipe reroute location. New IAS line and raw water line were tied to existing lines. Continued installing 2" cooling water blowdown line in reroute trench

Work in Progress:

- Installing, fitting and welding on Section 3 of 48" circulation water piping, (3) 48" risers and (1) 48" cap were installed
- Digging trench, placing and testing pipe, and started backfilling sanitary sewer

running from Trailer City (construction office area) to warehouse and new lift station

- Connection of 4” HDPE re-route piping to existing oil water separator pipe line
- Continue installing scaffolding, forms, rebar, and anchor bolts templates for pump pit table top. Backfill around pump pit walls continues which includes pouring of concrete
- Continue patching of interior and exterior cooling tower south and north walls
- Started installing forms, rebar and waterstop for middle portion of cooling tower basin
- Started installation of grounding at south end of cooling tower basin and grounding connections to rebar in middle portion of cooling tower basin
- LECEF continued reviewing submittals from LECEF equipment vendors and CH2MHILL

2. Table of Required Monthly Compliance Report Documents

COM-6	N/A, requirement met	AQ-3	N/A, first fire
GEN-2	A copy of the most recent schedule is attached	AQ-4	N/A, first fire
GEN-3	Email from CBO confirming receipt of payment is attached	AQ-6	N/A, first fire
GEN-6	CBO disposition approving special inspector is attached	AQ-9	N/A, first fire
GEN-7	None this month	AQ-10	N/A, first fire
GEN-8	N/A. Applicable work not completed for the reporting period	WS-4	A copy of the most recent information is attached
CIVIL-1	CBO approved dispositions is attached	BIO-2	A copy of the Designated Biologist’s summary report is attached
CIVIL-3	A copy of the NCR log is attached	BIO-4	The number of WEAP participants is provided including cumulative total
CIVIL-4	N/A. Applicable work not complete for the reporting period	BIO-20	None this month
STRUC-1	N/A. Applicable work not complete for the reporting period	BIO-21	No additional information required
STRUC-3	N/A. Applicable work not complete for the reporting period	CUL-2	A copy of the anticipated project activity is attached
STRUC-4	N/A. Applicable work not complete for the reporting period	CUL-4	A copy of the acknowledgement forms for the reporting period is attached
MECH-1	N/A. Applicable work not complete for the reporting period	CUL-5	A copy of the CRS Monitor’s report is attached
MECH-2	N/A. Applicable work not complete for the reporting period	PAL-3	A copy of the WEAP training records are attached
ELEC-1	N/A. Applicable work not complete for the reporting period	PAL-4	A copy of the PRS Monitor’s report is attached
TSE-1	N/A. Applicable work not complete for the reporting period	WASTE-5	N/A. A copy of the USEPA, Region 9 RCRA ID was submitted in previous MCR
TSE-4	N/A. Applicable work not complete for the reporting period	SOCIO-1	A copy of the activities report is attached
AQ-SC3	Discussion of the dust monitoring process is attached	TRANS-1	A copy of the construction trip generation rates is attached
AQ-SC5	Information is provided for this COC, as attached	TRANS-2	None this month
AQ-1	N/A, first fire	TRANS-3	None this month
AQ-2	N/A, first fire	TRANS-4	Information is provided for this COC, as attached

3. Compliance Matrix

A copy of the construction compliance matrix is attached.

4. Conditions Satisfied During The Reporting Period

The conditions satisfied during the reporting period include:

STRUC-1, GEN-2- Note there are some documents associated with these conditions that are still in review

5. Submitted Deadline Not Met

There are no past due compliance submittals.

6. Approved Condition of Certification Changes

- LECEF, Phase 2 license amendment filed on October 30, 2009, and approved on February 2, 2011.
- A change to verification language of HAZ-2 was submitted to the CPM on February 15, 2011 and approved by staff on March 14, 2011.
- A change to verification language of TSE-1 was submitted to the CPM on February 22, 2011 and approved by staff on February 28, 2011.
- A change to verification language of BIO-11 was submitted to the CPM on March 15, 2011 and approved by staff on 3/16/11.

7. Filings of Permits from other agencies

- Storm water documentation for construction (Annual Report): Submitted on-line to State Water Resources Control Board on August 31, 2011
- Authority to Construct Renewal, LECEF2: Submitted to the Bay Area Air Quality Management District on August 29, 2011

8. Projection of Compliance Activities for September

GEN-2	Schedule will be updated monthly
GEN-3	CBO payments will be submitted monthly
AQ-SC-3	The AQCMM report will be updated monthly
AQ-SC-5	The AQCMM report will be updated monthly
WS-4	The Safety Inspection report will be updated monthly
BIO-2	The Designated Biologist's report will be updated monthly
BIO-4	WEAP training will be completed for new employees as needed
CUL-2	A current schedule will be provided to the CRS when available
CUL-4	WEAP training will be completed for new employees as needed
PAL-3	WEAP training will be completed for new employees or visitors as needed, but is currently being provided Monday and Wednesday at
PAL-4	The PRS report will be updated monthly

9. Additions to the On-site Compliance File

- WEAP training records
- Cultural Monitoring Reports
- Paleontology Monitoring Reports
- Biological Monitoring Report

10. Any requests, with justification, to dispose of items that are required to be maintained in the project owner's compliance file?

No items disposed of during the reporting period.

11. Listing of complaint, notices of violations, official warnings and citations

None received during the reporting period.

**CONDITION OF CERTIFICATION
GEN-2**

**Los Esteros Critical Energy Facility, Phase 2
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Activity ID	Activity Name	OD	RD	TF	% Comp	Start	Finish	October 2011					
								19	26	03	10	17	24

CIVIL / STRUCTURAL / ARCHITECTURAL

GENERAL SITE WORK

SITWORK

CS0CTWF176	BACKFILL WEST CW PMP PIT	4	0		100%	16-Sep-11 A	20-Sep-11 A
CS0SIT1017	COMPLETE BACKFILL UG CW PIPE-PHASE 2	3	3	-7	0%	28-Sep-11	30-Sep-11
CS0SIT1093	BACKFILL PHASE 4A PIPE MODS	3	3	-9	0%	28-Sep-11	30-Sep-11
CS0SIT1150	DEMO EXISTING PIPE PHASE 4A PIPE	3	3	-9	0%	28-Sep-11	30-Sep-11
CS0SIT1032	BACKFILL UG CW PIPE-REMAINING PHASE 3	3	3	24	0%	29-Sep-11*	01-Oct-11
CS0SIT1051	MASS EXCAVATE /EXPOSE UTIL UG CW PIPE-PHASE 4A	3	3	-7	0%	30-Sep-11	04-Oct-11
CS0CTWF186	BACKFILL SOUTH COOLING TOWER	3	3	11	0%	04-Oct-11*	06-Oct-11
CS0SIT1071A	MASS EXCAVATE UG CW PIPE-PHASE 4B WEST	2	2	4	0%	05-Oct-11*	06-Oct-11
CS0SIT1052	INSTALL TEMP UTIL SUPPORTS UG CW PIPE-PHASE 4A	3	3	-9	0%	05-Oct-11	07-Oct-11
CS0SIT1072A	PLACE BEDDING UG CW PIPE-PHASE 4B WEST	2	2	4	0%	07-Oct-11	08-Oct-11
CS0SIT1053	COMPLETE MASS EXCAVATION UG CW PIPE-PHASE 4A	5	5	-10	0%	08-Oct-11	12-Oct-11
CS0SIT1054	PLACE BEDDING UG CW PIPE-PHASE 4A	4	4	-10	0%	11-Oct-11	14-Oct-11
CS0SIT1073A	COMPLETE BACKFILL / REPLACE STONE UG CW PIPE-PH 4B WEST	2	2	4	0%	13-Oct-11	14-Oct-11
CS0SIT1055	BACKFILL TO UG UTIL UG CW PIPE-PHASE 4A	4	4	-10	0%	22-Oct-11	25-Oct-11
CS0SIT1140	INSTALL TEMP FENCING	10	10	49	0%	14-Oct-11*	27-Oct-11

CONCRETE

CS0STG254A	INITAL BACKFILL STG FOUNDATION	6	6	68	0%	28-Sep-11	05-Oct-11
CS0STGE109	MASS ESCAVATE STG GSU MAT FDN	4	4	21	0%	11-Oct-11	14-Oct-11
CS0OWS090	MASS EXCAVATE OIL WATER SEPERATOR FDN	3	3	16	0%	12-Oct-11	14-Oct-11

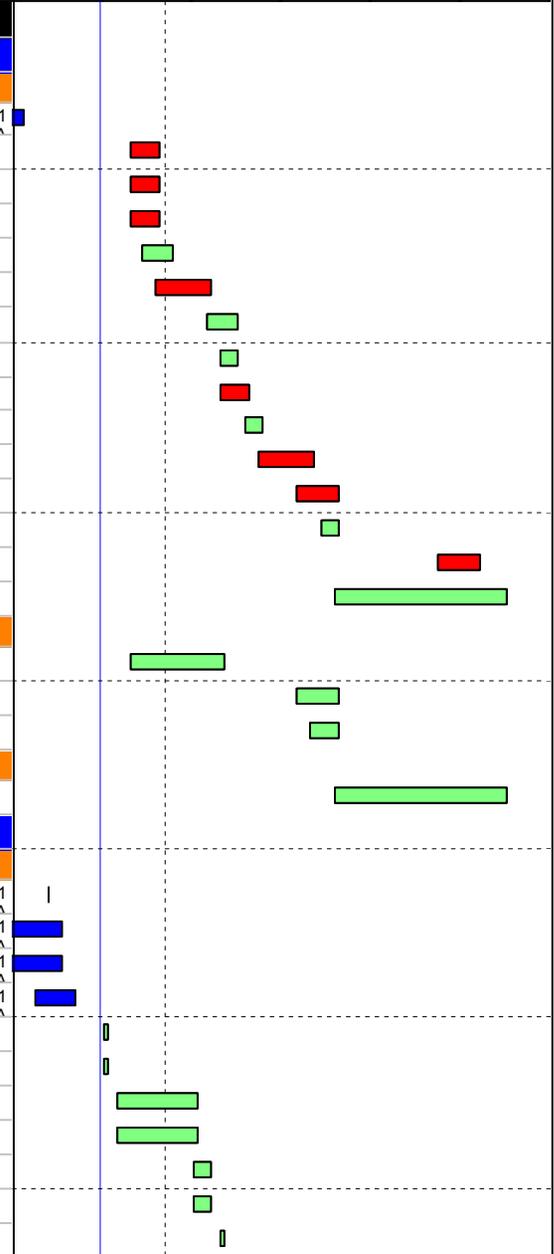
FINAL SITWORK

CS081497	INSTALL ROAD BED AT COOLING TOWER	10	10	11	0%	14-Oct-11	27-Oct-11
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MAJOR AND MISC STRUCTURAL CONCRETE

CONCRETE

CS0STGF111	PLACE CONCRETE STG PIERS (6 PIER)	1	0		100%	22-Sep-11 A	22-Sep-11 A
CS0CTWF171	FORM/REBAR CW PMP PIT ROOF	8	0		100%	15-Sep-11 A	23-Sep-11 A
CS0STGF104	STRIP FORMS MAT FDN STG	4	0		100%	19-Sep-11 A	23-Sep-11 A
CS0CTWF195	FORM/REBAR COOLING TOWER CENTER BASIN FLOOR	4	0		100%	21-Sep-11 A	24-Sep-11 A
CS0CTWF200	POUR CONCRETE COOLING TOWER CENTER BASIN FLOOR	1	1	3	0%	26-Sep-11	26-Sep-11
CS0CTWF172	POUR CONCRETE CW PMP PIT ROOF	1	1	15	0%	26-Sep-11	26-Sep-11
CS0CTWF173	CURE CONCRETE CW PMP PIT ROOF	7	7	17	0%	27-Sep-11	03-Oct-11
CS0CTWF201	CURE CONCRETE COOLING TOWER CENTER BASIN FLOOR	7	7	3	0%	27-Sep-11	03-Oct-11
CS0CTWF202	STRIP FORM CONCRETE COOLING TOWER CENTER BASIN FLOOR	2	2	2	0%	03-Oct-11	04-Oct-11
CS0CTWF123	FORM/REBAR COOLING TOWER NORTH STAIR PAD	2	2	15	0%	03-Oct-11*	04-Oct-11
CS0CTWF124	POUR CONCRETE COOLING TOWER NORTH STAIR PAD	1	1	15	0%	05-Oct-11	05-Oct-11



■ Remaining Level of Effort ■ Remaining Work
■ Actual Work ■ Critical Remaining Work



Activity ID	Activity Name	OD	RD	TF	% Comp	Start	Finish	October 2011					
								19	26	03	10	17	24
CS0STGF110	FORM/REBAR W/ EMBEDS STG PIERS	18	5	11	2.22%	14-Sep-11 A	06-Oct-11						
CS0CTWF174	STRIP FORM CONCRETE CW PMP PIT ROOF	3	3	15	0%	04-Oct-11	06-Oct-11						
CS0CTWF125	CURE CONCRETE COOLING TOWER NORTH STAIR PAD	1	1	21	0%	06-Oct-11	06-Oct-11						
CS0CTWF126	STRIP FORM COOLING TOWER NORTH STAIR PAD	1	1	15	0%	07-Oct-11	07-Oct-11						
CS0STGF111A	PLACE CONCRETE STG PIERS (2 PIER)	1	1	18	0%	07-Oct-11	07-Oct-11						
CS0CTWF143	FORM/REBAR COOLING TOWER SOUTH STAIR PAD	2	2	11	0%	07-Oct-11*	10-Oct-11						
CS0CTWF175	BEVEL CONCRETE CW PMP PIT	5	5	18	0%	07-Oct-11	11-Oct-11						
CS0CTWF144	POUR CONCRETE COOLING TOWER SOUTH STAIR PAD	1	1	11	0%	11-Oct-11	11-Oct-11						
CS0CTWF205	FORM/REBAR COOLING TOWER CENTER BASIN WALLS	7	7	2	0%	05-Oct-11	12-Oct-11						
CS0CTWF145	CURE CONCRETE COOLING TOWER SOUTH STAIR PAD	1	1	15	0%	12-Oct-11	12-Oct-11						
CS0CTWF210	POUR CONCRETE COOLING TOWER CENTER BASIN WALLS	3	3	2	0%	11-Oct-11	13-Oct-11						
CS0STGF112	CURE CONCRETE STG PIERS	3	3	38	0%	11-Oct-11	13-Oct-11						
CS0CTWF146	STRIP FORM COOLING TOWER SOUTH STAIR PAD	1	1	11	0%	13-Oct-11	13-Oct-11						
CS0STGF141	STG TABLE TOP - SCAFFOLDING/SHORING	6	6	15	0%	07-Oct-11	14-Oct-11						
CS0STGF120	FORM/REBAR CONDENSER PEDESTAL	11	11	21	0%	04-Oct-11	18-Oct-11						
CS0STGF113	STRIP FORMS STG PIERS	4	4	26	0%	14-Oct-11	19-Oct-11						
CS0STGF121	PLACE CONCRETE CONDENSER PEDESTAL	1	1	21	0%	19-Oct-11	19-Oct-11						
CS0CTWF211	CURE CONCRETE COOLING TOWER CENTER BASIN WALLS	7	7	3	0%	14-Oct-11	20-Oct-11						
CS0OWS100	FORM/REBAR OIL WATER SEPERATOR FDN	5	5	16	0%	17-Oct-11	21-Oct-11						
CS0STGF122	CURE CONCRETE CONDENSER PEDESTAL	4	4	29	0%	20-Oct-11	23-Oct-11						
CS0STGE110	FORM/REBAR STG GSU MAT FDN	6	6	21	0%	17-Oct-11	24-Oct-11						
CS0CTWF212	STRIP FORM CONCRETE COOLING TOWER CENTER BASIN WALLS	3	3	2	0%	21-Oct-11	24-Oct-11						
CS0STGF150	STG TABLE TOP - FORM/REBAR	14	14	15	0%	13-Oct-11	01-Nov-11						
CS0STGF402	EXCAV/FORM/REBAR CONDENSER VACCUM PUMP FOUNDATION	19	19	71	0%	10-Oct-11*	03-Nov-11						

PIPING

UNDERGROUND CIRCULATION WATER PIPE SYSTEM

UG CIRC WATER PIPING

CSK031501	4400-002, UG CW PIPE - FIELD ASSEMBLE PIPE MOD SPOOLS	2	0		100%	23-Aug-11 A	22-Sep-11						
CS0UGCW3	INSTALL U/G CW PIPING-PHASE 3	6	4	6	10%	22-Jul-11 A	29-Sep-11						
CS0SIT1091	MODIFY PIPING -PHASE 4A	6	4	-9	3.33%	09-Sep-11 A	29-Sep-11						
CS0SIT1082	MODIFY FIRE LINE/PIV @N1281 UG CW PIPE-PHASE 4A	3	4	-6	0%	23-Sep-11 A	29-Sep-11						
CSWHP0120	WITNESS-HOLD POINT - U/G CW PIPING-PHASE 3	0	0	25	0%		29-Sep-11						
CS0UGCW4B10	INSTALL U/G CW PIPING-PHASE 4B WEST	4	4	4	0%	09-Oct-11	12-Oct-11						
CS0UGCW4A	INSTALL U/G CW PIPING-PHASE 4A	10	10	-10	0%	12-Oct-11	21-Oct-11						
CSWHP0130	WITNESS-HOLD POINT - U/G CW PIPING-PHASE 4A	0	0	-8	0%		21-Oct-11						

Remaining Level of Effort Remaining Work
 Actual Work Critical Remaining Work



**CONDITION OF CERTIFICATION
GEN-3**

**Los Esteros Critical Energy Facility, Phase 2
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Rodney Jones

From: Don Wimberly <dwimberly@aimscorp.com>
Sent: Thursday, October 06, 2011 2:14 PM
To: Rodney Jones
Subject: LECEF 2 - RE: CBO Payment for September

Rod

The CBO has received payment for CBO services rendered in September, 2011 for the LECEF 2 project.

Thank you.

Donald C. Wimberly, P.E.
Delegate CBO
AIMS Corporation
Cell: 408-930-4066
Site Office: 408-719-8027
P.O. Box 800
Los Gatos, CA 95031

From: Rodney Jones [<mailto:Rodney.Jones@calpine.com>]
Sent: Tuesday, October 04, 2011 11:56 AM
To: dwimberly@aimscorp.com
Subject: CBO Payment for September

Hi Don,

Per COC GEN-3, please confirm if you have received payment from Calpine for September.

Kindest regards,

Rod Jones
Compliance Manager
LECEF, Phase 2
CPN Construction Management Co., Inc.
800 Thomas Foon Chew Way
San Jose, CA 95134
408-635-1322 (Direct)
281-814-8316 (Cell)

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**CONDITION OF CERTIFICATION
GEN-6**

**Los Esteros Critical Energy Facility, Phase 2
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DISPOSITION

September 7, 2011

PROJECT: LOS ESTEROS CRITICAL ENERGY FACILITY PHASE 2
CEC Docket No.: 03-AFC-2

CBO COC: GEN-6
CBO Package No: CBO-052

Review Subject: Special Inspectors
Applicable Documents: Sean Fuller

APPROVED

1. Future revisions to this documentation, if any, shall be submitted to the CBO for review.
2. For any questions you may contact Hans Kosten by cell phone 650-996-9932 or by email hans@lecef-cbo.com.

Sincerely,

Hans Kosten
Deputy CBO

Sent to Distribution List

**CONDITION OF CERTIFICATION
CIVIL-1**

**Los Esteros Critical Energy Facility, Phase 2
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DISPOSITION

May 23, 2011

PROJECT: LOS ESTEROS CRITICAL ENERGY FACILITY PHASE 2
CEC Docket No.: 03-AFC-2

CBO COC: CIVIL-1
CBO Package No: CBO-102

Review Subject: Drainage and Grading
Applicable Documents: Dwg. DE-C2-0601, Sht. 1, Rev. 2

APPROVED with Note

1. Confirm by email that revision showing "LIMIT OF EXCAVATION" is for this phase of meaningful construction.
2. Future revisions to this documentation, if any, shall be submitted to the CBO for review.
3. For any questions you may contact Hans Kosten by cell phone 650-996-9932 or by email hans@lecef-cbo.com.

Sincerely,

Hans Kosten
Deputy CBO

Sent to Distribution List

**CONDITION OF CERTIFICATION
CIVIL-3**

**Los Esteros Critical Energy Facility, Phase 2
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Contractor/ Supplier	NCR No.	Drawing No.	Location	Date Generated	Description	NCR Type	Date to Engineering	Date Answered	Date Comp	Date Closed
Overaa/Duran & Venables	1	LE-GEN-DE-P9-0001 sht 1 R/0	Phase II utility reroute	6/13/11	Damage to Instrument Air Line AGANA006	Repair	6/13/11	6/13/11	9/24/11	9/24/11
Overaa/Duran & Venables	2	LE-GEN-DE-P9-0001 sht 1 R/0	Phase II utility reroute	6/14/11	Damage to Firewater Line 10"P3GFP005	Accept As Is / Replace	6/20/11	6/20/11		
LG Constructors	3	LGC Quality Manual	Cooling Tower	6/21/11	Hold Point not signed off Concrete additional of fibers not in mix	Rework	6/21/11	6/21/11	6/23/11	6/24/11
Hanson & Harder Mechanical	4	CH2M HILL spec 402319.01 and Hanson Drawing	Circulating Water	6/22/11	Leak at metal to Concrete interface 4th to 5th MK43 on South Line Base metal gouge 3rd to 4th MK43 On South Line	Repair / Accept As Is	6/22/11	6/27/11		
Overaa	5	CH2M Hill spec 033000 and drawing LE-CTW- DE-S7-0160sec. A	Cooling Tower Wall Placement	7/26/11	Concrete Construction joint not roughened as per specification	Accept As Is	7/27/11	7/27/11	8/3/11	8/8/11
Harder Mechanical	6	Hanson Drawings 110090-DR03 and 110090-LD01	Circulating Water interior grout joints at welds 2, 3, 5 & 6	7/27/11	Circulating water piping interior joints not pre soaked for time as required per manufacturers instructions	Rework	8/1/11	8/1/11		
Hanson	7	CH2M Hill Specification 40231901 Section 1.3.A	Circulating Water	8/2/11	48" and smaller Circulating Water pipe designed and supplied with exterior welds not interior as required by specification		8/2/11			
Overaa	8	CH2M Hill Specification 033000 Rev.2 And ACI 309R	Cooling Tower Wall Placement	8/5/11	Concrete wall placement has honeycomb at base of wall to floor slab at various locations	Rework	8/5/11			
Harder Mechanical	9	Harder Welding Procedures	Circulating Water pipe welds #21 and 22	8/10/11	Contract requires that prior to start of welding. Welding Procedures require review and approval LGC and Calpine	Rework	8/10/11	8/10/11	8/10/11	8/10/11
Harder Mechanical	10	Harder Welding Procedures	Circulating Water pipe welds #18, 19, 20 and 74	8/11/11	Contract requires that prior to start of welding. Welding Procedures require review and approval LGC and Calpine	Rework	8/11/11	8/11/11	8/11/11	8/11/11
Overaa/Central Concrete	11	CH2M Hill Specification 033000	STG Foundation	9/10/11	Concrete placed in STG foundation with 7-1/2 slump which exceeds maximum allowed by specification	Accept As Is	9/12/2011			

**CONDITION OF CERTIFICATION
AQ-SC3**

**Los Esteros Critical Energy Facility, Phase 2
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LG Constructors

1. All equipment is inspected when mobilized to the site to make sure it meets the CARB requirements and is stickered. Dust monitoring is conducted daily. When visible dust is observed, water is applied to mitigate. Exposed soil is watered daily. Roads are watered routinely for dust control. The 5 minute idle rule is enforced.
2. No complaints
3. Records are available onsite for review.

**CONDITION OF CERTIFICATION
AQ-SC5**

**Los Esteros Critical Energy Facility, Phase 2
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Construction Equipment Currently Used Onsite as of May '2011

Equipment Type	Engine Operating Hours Since Last Major Overhaul	Tier
Skip Loader	2,210	3
Dozer	2,215	3
Motor Grader	4,523	2
Backhoe Loader	4,379	2
Scraper	1,185	3
Roller	4,127	1
Excavator	200	1
Water Truck	6,420	2
Street Sweeper	Unknown	1

Source: LG Constructors

**CONDITION OF CERTIFICATION
WS-4**

**Los Esteros Critical Energy Facility, Phase 2
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September 2011**



Safety Observation

Report Created by: Marc Wetter

Date: September 8, 2011

COC: Worker Safety 4

Safety Monitor: Signet Testing Labs

Site: Los Esteros Critical Energy Facility (San Jose, CA)

Weather: Sunny with high's in the mid 70's

Contractors visited on-site: LG Constructors (general contractor), Overaa, and Harder

General observation:

Rebar was being installed for the STG / Condenser foundation.

Concrete placement was being performed at the circ water pump foundation.

All previous safety deficiencies found on last week's safety observation were noted to be corrected.

Specific observation:

- Concrete form work scaffold at the circ water pump foundation was observed without toe boards.
- All employees observed working over 6 feet while placing concrete at the circ water pump area were found to be tied off correctly.
- A job built ladder is being used as a stairway with one handrail. It is recommended that if employees are to be walking upright on the ladder two hand rails are installed.
- Walkways need to be kept clear around the base of the circ water pump area from all tools and cords to prevent tripping hazards
- A ladder was observed at the STG foundation with a harness hanging on the top. All ladders should be kept clear of materials.

Future Activities:

Utilities will be relocated in order to continue circ water pipe installation.

Form work and rebar continues to be installed at the cooling tower foundation, STG / condenser foundation, and the circ water pump foundation.

Corrective Actions to be performed:

All items were discussed with Mr. Lee Alexander, LG Constructors Safety.

Additional Comments:

Please review photos.

A handwritten signature in black ink, appearing to read "Mark Feltz", with a long horizontal stroke extending to the right.

9-8-2011

Signature & Date



Concrete form work scaffold at the circ water pump foundation was observed without toe boards.



All employees observed working over 6 feet while placing concrete at the circ water pump area were found to be tied off correctly.



A job built ladder is being used as a stairway with one handrail. It is recommended that if employees are to be walking upright on the ladder two hand rails are installed.



Walkways need to be kept clear around the base of the circ water pump area from all tools and cords to prevent tripping hazards



A ladder was observed at the STG foundation with a harness hanging on the top. All ladders should be kept clear of materials.

Safety Observation

Report Created by: Marc Wetter

Date: September 14, 2011

COC: Worker Safety 4

Safety Monitor: Signet Testing Labs

Site: Los Esteros Critical Energy Facility (San Jose, CA)

Weather: Sunny with high's in the mid 70's

Contractors visited on-site: LG Constructors (general contractor), Overaa, and Harder

General observation:

Concrete forms were being installed for the STG / Condenser foundation.

Concrete forms were being removed at the circ water pump foundation.

Circ water piping was being installed.

All previous safety deficiencies found on last week's safety observation were noted to be corrected.

Specific observation:

- Employees installing concrete forms at the STG foundation were all observed to be wearing gloves while performing their work.
- An extension cord was found damaged at the ramp leading down into the circ pump foundation.
- An employee was observed using an impact hammer while working from a ladder. The employee was tied off correctly but the ladder was not secured and the employee needed to wear ear plugs.
- A damaged nylon choker was found near the pipe fitters work area by the existing utility relocation.
- A ladder was observed at the STG foundation not secured. No employees were using the ladder at the time.
- Spill response procedures were posted on the jobsite in the locations of hazardous materials.

Future Activities:

Utilities will be relocated in order to continue circ water pipe installation.

Form work and rebar continues to be installed at the cooling tower foundation, STG / condenser foundation, and the circ water pump foundation.

Corrective Actions to be performed:

All items were discussed with Mr. Gary Brown, LG Constructors Safety.

Additional Comments:

Please review photos.

A handwritten signature in black ink, appearing to read "Mark [unclear]".

9-14-2011

Signature & Date



Employees installing concrete forms at the STG foundation were all observed to be wearing gloves while performing their work.



An extension cord was found damaged at the ramp leading down into the circ pump foundation.



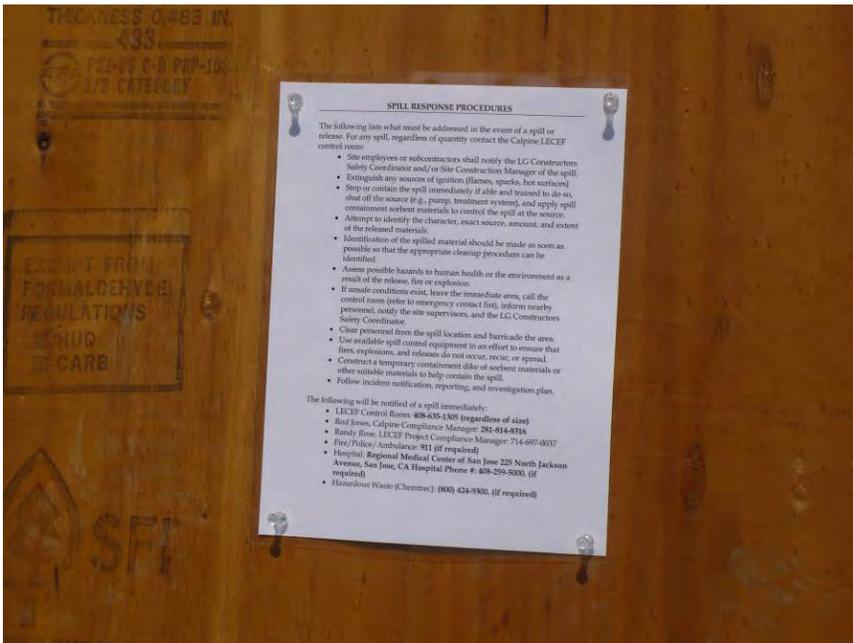
An employee was observed using an impact hammer while working from a ladder. The employee was tied off correctly but the ladder was not secured and the employee needed to wear ear plugs.



A damaged nylon choker was found near the pipe fitters work area by the existing utility relocation.



A ladder was observed at the STG foundation not secured. No employees were using the ladder at the time.



Spill response procedures were posted on the jobsite in the locations of hazardous materials.

Safety Observation

Report Created by: Marc Wetter

Date: September 21, 2011

COC: Worker Safety 4

Safety Monitor: Signet Testing Labs

Site: Los Esteros Critical Energy Facility (San Jose, CA)

Weather: Sunny with high's in the mid 70's

Contractors visited on-site: LG Constructors (general contractor), Overaa, and Harder

General observation:

Concrete forms were being installed for the STG / Condenser foundation.

Utilities were being relocated for the circ water piping.

Circ water piping was being installed.

Rebar was being installed at the cooling tower foundation.

All previous safety deficiencies found on last week's safety observation were noted to be corrected.

Specific observation:

- Concrete form scaffolds were complete with handrails, mid-rails, and toe boards. Scaffold tags were hung on all ladders used to access the scaffolds and were inspected.
- Nails and tie wire were lying all around the base of the STG foundation. This was being corrected immediately.
- Electric cords were hung overhead to help prevent tripping hazards and were clearly marked using caution tape.
- An electrical outlet in a headache box near the STG foundation was found missing the cover. Even though no power was hooked up to the box at this time it is recommended the outlet cover be installed.
- Wood being removed from the concrete forms at the STG foundation were found to have nails exposed. Nails should be removed or bent over as the forms are removed.
- The excavation for the sewer line being installed near the trailers was properly sloped and had ladders for easy access and egress.

Future Activities:

Utilities will be relocated in order to continue circ water pipe installation.

Form work and rebar continues to be installed at the cooling tower foundation, STG / condenser foundation, and the circ water pump foundation.

Corrective Actions to be performed:

All items were discussed with Mr. Gary Brown, LG Constructors Safety.

Additional Comments:

Please review photos.

A handwritten signature in black ink, appearing to read "Mark Hills", written in a cursive style.

9-21-2011

Signature & Date



Concrete form scaffolds were complete with handrails, mid-rails, and toe boards. Scaffold tags were hung on all ladders used to access the scaffolds and were inspected.





Electric cords were hung overhead to help prevent tripping hazards and were clearly marked using caution tape.



An electrical outlet in a headache box near the STG foundation was found missing the cover. Even though no power was hooked up to the box at this time it is recommended the outlet cover be installed.



Wood being removed from the concrete forms at the STG foundation were found to have nails exposed. Nails should be removed or bent over as the forms are removed.



The excavation for the sewer line being installed near the trailers was properly sloped and had ladders for easy access and egress.

Monthly Safety Monitor Report

Report Created by: Marc Wetter

Date: September 30, 2011

COC: Worker Safety 4

Safety Monitor: Signet Testing Labs

Site: Los Esteros Critical Energy Facility (San Jose, CA)

Monthly Safety Monitor Report:

- Number of employees attended site orientation for the month of September was 37.
- CBO Safety provided 4 site safety observations for the month.
 - LG Constructors performed 49 EH&S audits for the month.
 - 46 safe behavior observations were conducted.
- All safety related issues have been corrected in a timely manner.
- Zero injuries occurred during the month of September.

Information was provided by Mr. Gary Brown, LG Constructors Safety Manager.

A handwritten signature in black ink, appearing to read "Marc Wetter".

9-30-2011

Signature & Date

**CONDITION OF CERTIFICATION
BIO-2**

**Los Esteros Critical Energy Facility, Phase 2
Monthly Compliance Report #4
September 2011**

Biological Resources
Construction Monitoring for the
Los Esteros Critical Energy Facility

MONTHLY COMPLIANCE REPORT #3

September 2011

Prepared by:

CH2M HILL

2485 Natomas Park Drive, Suite 600

Sacramento, California 95833

Los Esteros Critical Energy Facility
MONTHLY COMPLIANCE REPORT

September 2011

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APPENDICES

- A)** Cumulative Wildlife Species Observed in or Near the Project Area
- B)** Representative Site Photographs

INTRODUCTION

Los Esteros Critical Energy Facility LLC (the Applicant) obtained a license from the California Energy Commission (CEC) for continued operation of Phase 1 of the Los Esteros Critical Energy Facility (LECEF or the project) located in San Jose, Santa Clara County, California. Phase 1 is a nominal 180 megawatt (MW) natural-gas-fired peaking power plant consisting of four simple-cycle combustion turbine generators and associated equipment. The license also authorizes conversion of the peaker power plant to combined-cycle operation. The combined-cycle conversion will involve the addition of four heat recovery steam generators (HRSG), one steam-turbine generator (STG), a six-cell, plume-abated cooling tower, and ancillary equipment to the LECEF for a total combined nominal generating capacity of 320 MW.

The Applicant originally applied for a CEC license for Phase 1 of the LECEF in August 2001, under the expedited licensing provision promulgated under California Public Resources Code (PRC) §25552. The CEC granted the Phase 1 license in August 2002, and the LECEF was constructed and became operational in March 2003. The purpose of the Phase 2 CEC Application for Certification (AFC) was to meet the requirement of PRC §25552 by recertifying (relicensing) Phase 1 and certifying Phase 2 conversion to combined-cycle, which will allow the project to achieve much higher efficiency in generating power.

As licensed and constructed, the 21-acre LECEF Phase 1 site currently consists of the following features:

- Four GE LM6000 SPRINT combustion turbine generators (CTG) with water injection
- Oxidation catalysts and selective catalytic reduction (SCR) pollution control equipment, installed within four HRSG casings and stacks (these casings were installed during Phase 1 in anticipation of Phase 2)
- A 115-kilovolt (kV) switchyard
- A 150-foot-long, wood pole transmission line to Pacific Gas and Electric Company's (PG&E) 115-kV Los Esteros-Nortech transmission line, immediately to the west of the LECEF switchyard
- A 2,700-foot-long primary access road, named Thomas Foon Chew Way, linking LECEF with Zanker Road
- A 470-foot-long emergency access road, linking Thomas Foon Chew Way and Alviso-Milpitas Road
- A 55-foot-long, 10-inch-diameter natural gas supply line between the facility and PG&E lines 101 and 109
- Two 1,500-foot-long recycled water supply lines between the facility and the City of San Jose (the City) Waste Pollution Control Plant's (WPCP) recycled water supply pipeline in Zanker Road

- A 2,000-foot-long sanitary sewer discharge line to the City's sewer main in Zanker Road
- A 1,000-foot-long stormwater line between the LECEF and the Coyote Creek flood control channel to the east. Installation of a permanent stormwater outfall, which extended the Phase 1 temporary outfall 250 feet to the low flow channel was completed in accordance with CEC licensing requirements (Phase 1) and other permit conditions (including permits from U.S. Army Corps of Engineers [USACE], Regional Water Quality Control Board [RWQCB], and California Department of Fish and Game [CDFG]) in October 2008.
- A 370-horsepower diesel fire pump

Phase 2 of the project will add the following major equipment to the Phase 1 facility:

- HRSGs tube sections and associated steam drums and piping, to be installed within and around the existing HRSG casings
- HRSG duct burners
- A six-cell, plume-abated cooling tower
- A nominal 140 MW STG
- Circulating water pumps and boiler feedwater pumps
- A deaerating surface condenser
- A second ammonia storage tank to be installed in the existing secondary containment basin
- A 230-kV underground transmission connection to the adjacent Silicon Valley Power (SVP) 230-kV Switching Station through two 115:230-kV transformers

The Project Owner owns the 34-acre project parcel on which the LECEF Phase 1/Phase 2 facilities and temporary construction parking and laydown area are situated. All Phase 2 infrastructure (including HRSGs, STGs, cooling towers, storage tanks, various pumps, and 230-kV connection) will be sited entirely within the existing fenced Phase 1 site. The 13-acre temporary construction parking and laydown area required during Phase 2 construction is located immediately south of LECEF and north of Ranch Drive. The parking and laydown area was also used for parking and laydown during Phase 1 construction. On November 3, 2010, CH2MHILL conducted a reconnaissance of the temporary work area and noted that the site had gone fallow by ruderal grassland species with evidence of routine disking.

A supplement to the Phase 1 Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) for the LECEF (Phase 2) in the form of a technical memorandum was prepared in December 2010 as required under the conditions of certification (COCs) of the CEC license for Phase 2. The purpose of the Phase 1 BRMIMP was to ensure that actions authorized, funded, or carried out by state or federal lead agencies were not likely to jeopardize the continued existence of endangered, threatened or other special-status species. The BRMIMP described mitigation measures and guidance to protect biological resources within the Phase 1 project area. The technical memorandum reviews the existing BRMIMP, identifies potential sensitive biological resources that may occur in the proposed project area, describes the current applicability of elements of the original BRMIMP in light of the new Phase 2 license and its conditions of certification, and discusses the mitigation measures that will be implemented to

avoid and minimize impacts to sensitive biological resources during Phase 2 construction and operation. Any deficiencies in the original BRMIMP are resolved in the amendment document to comply with the new conditions of certification.

Sensitive resources that may be encountered during Phase 2 construction are limited to potential habitat for ground-nesting birds including, but not limited to, burrowing owl. The 13-acre temporary parking and laydown area is the only construction area supporting potential habitat; however routine disking that may be occurring there significantly reduces its suitability as nesting habitat. With the exception of the temporary parking and laydown area, all Phase 2 construction will take place within the existing facility footprint. As a result many of the measures and conditions included in the original BRMIMP for Phase 1 are not applicable to Phase 2.

The project was designed to avoid significant adverse impacts to sensitive biological resources to the furthest extent feasible. Protection measures were developed during informal and formal consultation with local, state, and federal agencies to minimize unavoidable project impacts. The Designated Biologist (DB) or Biological Monitor (BM) will be available during all phases of construction to ensure compliance with the mitigation measures outlined in the BRMIMP and supplemental memo. The following report includes a summary of the Phase 2 monitored biological activities for September (September 1 to September 30).

MONITORED MITIGATION MEASURES AND PERMIT CONDITIONS

Mitigation measures for the project site were developed through consultation with the CEC, and state and federal agencies. Documentation of compliance with any conditions of the agency permits will be included in this section when required on the project.

Conditions of Certification (COC)

All COC's were in compliance for the month of September. The following COC's, BIO-2, 4, 8, and 11, were applicable compliance measures for the month of September 2011 and require specific language to be included in each monthly compliance report. Therefore each is addressed separately below.

BIO-2. States that implementation of BRMIMP measures shall be reported in the monthly compliance reports by the DB (i.e., survey results, construction activities that were monitored, species observed). This written monthly report was prepared by the DB for the month of September and identifies survey results and construction activities (see General Notes and Observations section below) and species observed (Appendix A).

BIO-4. States that every worker will attend and participate in the Worker Environmental Awareness Program (WEAP) and the DB and/or BM make weekly site visits to ensure that BIO-4 was in compliance. During the month of September, the BM Danielle Tannourji verified project compliance with BIO-4.

BIO-8. Addresses the implementation and application of biological impact and avoidance measures, Best Management Practices (BMPs), Stormwater Pollution Prevention Plan (SWPPP), and staking and flagging of exclusion zones of biological resources. Also, every worker must participate in the WEAP and the DB and/or BM are to make weekly site visits to ensure that BIO-8 was in compliance during the month of September.

BIO-11. Requires that preconstruction surveys be conducted for Western burrowing owl (BUOW) for all project components (i.e., facility and laydown areas) no less than 15-days and no more than 20-days prior to the initiation of construction on each project component. Written reports summarizing results will be sent to CEC Compliance Project Manager (CPM) and California Department of Fish and Game (CDFG). Surveys for BUOW were performed during April and submitted as required in anticipation of a May 11th construction start date. The DB performed preconstruction surveys on April 29, 2011 for the project site and surrounding areas following standard survey techniques for the species. No BUOW or any potential burrow sites were observed during the preconstruction survey. A written report summarizing the results of the surveys was sent to the CPM and CDFG. The DB and/or BM made biweekly site visits to ensure that BIO-11 remained in compliance during the month of September.

SUMMARY OF SITE ACTIVITIES

This section provides a summary of September 2011 project activities and associated biological monitoring. A cumulative wildlife species list is included in Appendix A. The BM Danielle Tannourji completed logs summarizing activities, personal interactions, and observations made during each site visit.

Site Construction

Construction in September included work on the HRSGs including concrete application, utilities installation, and backfilling. Monitoring visits by the BM Danielle Tannourji were conducted biweekly to document permit compliance.

Worker Environmental Awareness Training Program

The Worker Environmental Awareness Program (WEAP) was developed exclusively for the LECEF Phase 2 project. Program materials include a worker handbook, training video, posted speed limit signs and sensitive species awareness supporting posters. As required by COC BIO-4, all new employees must attend the WEAP training. A total of 39 personnel received WEAP training in September. The Calpine Safety Supervisor administered the WEAP training to new employees. Signed affidavits are kept on file by the Calpine Safety Supervisor in the site trailer.

General Daily Notes and Observations

As construction is now located within the fence line of the existing plant, and there are no new disturbed areas monitoring has been reduced to every other week with weekly check-in calls. The DB and the BMs covered project biological oversight. The monitoring efforts for September are documented below.

On September 10th, BM Danielle Tannourji was on site to monitor construction activities. Concrete application and backfilling activities at the HRSG sites continued while utilities were being installed at the steam generator site. The BM identified no biological issues during the work day. The road sweeper and water truck were used periodically throughout the site and the parking lot area, respectively. In addition, Food-only trash bins with lids were delivered to the site this month. During this monitoring effort the LECEF project was in compliance with all biological resources COCs.

On September 24th, BM Danielle Tannourji was on site to monitor construction activities. Backfilling activities and utility installation at the HRSG sites continued while similar construction activities at the steam generator site were ongoing. The BM identified no biological issues during the work day. The road sweeper and water truck were used periodically throughout the site and the parking lot area, respectively. During this monitoring effort the LECEF project was in compliance with all biological resources COCs.

Appendix A
Cumulative Wildlife Species Observed In or Near
the Project Area

Cumulative Wildlife Species Observed in or Near the LECEF Project Area

Common Name	Scientific Name	Comments
BIRDS		
Great blue heron	<i>Ardea herodias</i>	Fly over
Great egret	<i>Ardea alba</i>	Fly over
Snowy egret	<i>Egretta thula</i>	Fly over
Turkey vulture	<i>Cathartes aura</i>	Fly over
Red-tailed hawk	<i>Buteo jamaicensis</i>	Fly over
Rock pigeon (<i>Exotic</i>)	<i>Sterna fosteri</i>	Facility and laydown area
Mourning dove	<i>Streptopelia decaocto</i>	Facility and laydown area
Anna's hummingbird	<i>Chaetura vauxi</i>	Laydown area
Black phoebe	<i>Sayornis nigricans</i>	Facility and laydown area
California towhee	<i>Melospiza crissalis</i>	Facility and laydown area
Western scrub-jay	<i>Aphelocoma californica</i>	Facility and laydown area
American crow	<i>Corvus brachyrhynchos</i>	Facility and laydown area
Common raven	<i>Corvus corax</i>	Facility and laydown area
Tree swallow	<i>Tachycineta bicolor</i>	Facility and laydown area
Northern mockingbird	<i>Mimus polyglottos</i>	Facility and laydown area
European starling (<i>Exotic</i>)	<i>Sturnus vulgaris</i>	Facility and laydown area
Song sparrow	<i>Melospiza melodia</i>	Facility and laydown area
White-crowned sparrow	<i>Zonotrichia leucophrys</i>	Facility and laydown area
Red-winged blackbird	<i>Agelaius phoeniceus</i>	Facility and laydown area
Brewer's blackbird	<i>Euphagus cyanocephalus</i>	Facility and laydown area
Western Meadowlark	<i>Sturnella neglecta</i>	Facility and laydown area
House finch	<i>Carpodacus mexicanus</i>	Facility and laydown area
MAMMALS		
California vole	<i>Microtus californicus</i>	Facility and laydown area
Botta's pocket gopher	<i>Thomomys bottae</i>	Facility and laydown area

Appendix B

Representative Photographs



#1. A view of project site conditions at the southern portion of the LECEF site where the new HRSGs are being built. Photo was taken September 10, 2011.



#2. A view facing west of the steam generator area along the west side of existing LECEF site where utility installation activities continue. Photo was taken September 10, 2011.



#3. A view of the food only trash bins at the HRSGs site. Photo was taken September 10, 2011.



#4. A view of the HRSGs site at southwest corner of existing LECEF site. Photo was taken September 24, 2011.

**CONDITION OF
CERTIFICATION BIO-4**

**Los Esteros Critical Energy Facility II,
Phase 2
Monthly Compliance Report #4
September 2011**

Number of persons who have received WEAP Training during the reporting period:

September - 39

Total to date = 323 (as of 9/28/11)

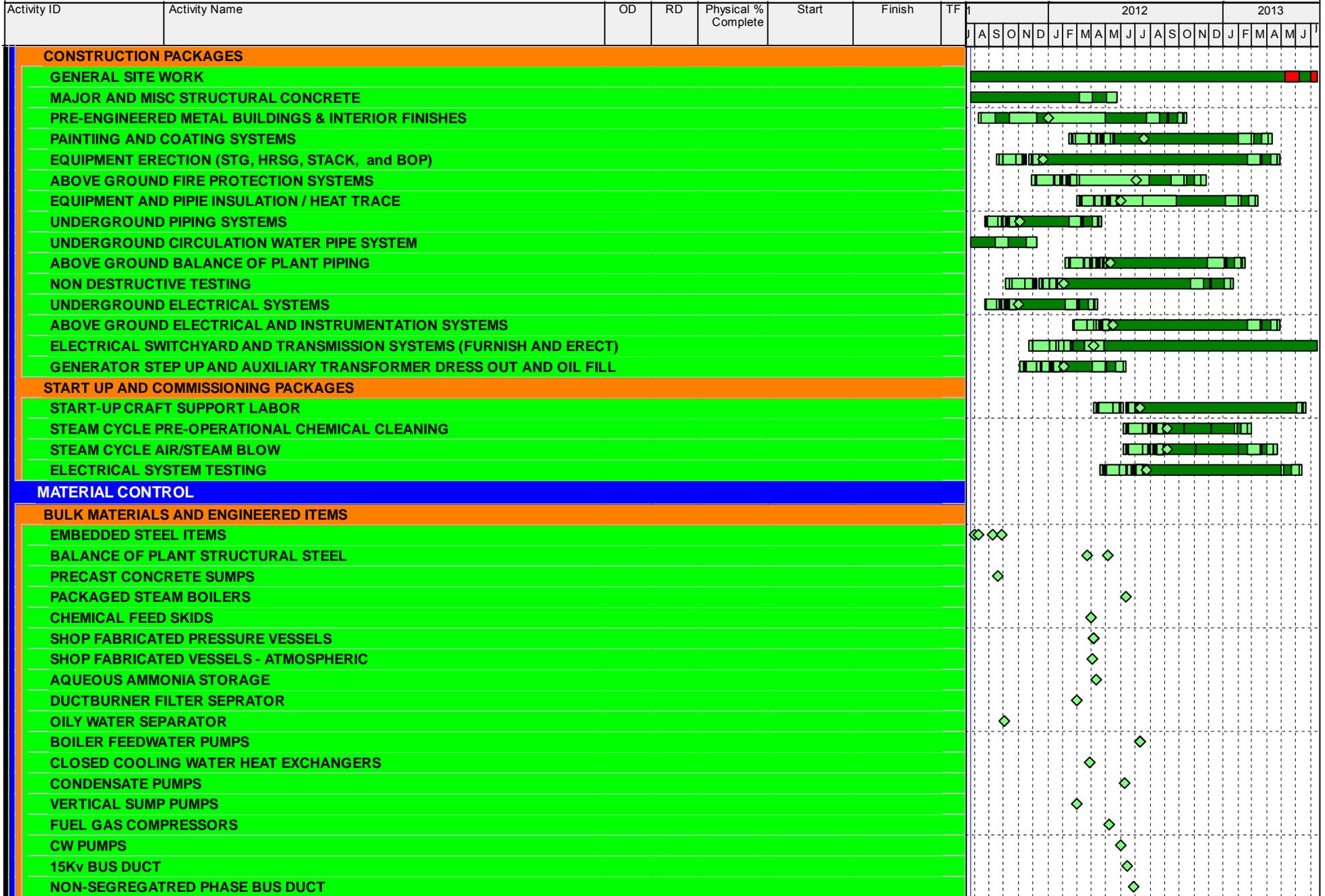
**CONDITION OF CERTIFICATION
CUL-2**

**Los Esteros Critical Energy Facility II, Phase 2
Monthly Compliance Report #4
September 2011**

Activity ID	Activity Name	OD	RD	Physical % Complete	Start	Finish	TF	2012												2013								
								J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M
MILESTONES																												
CONTRACT MILESTONES																												
MILESTONES																												
MS0100	WVOA AUTHORIZED / NETWORK BEGIN	0	0	100%	17-Jan-11 A																							
MS0102	LIMITED NOTICE TO PROCEED	0	0	100%	03-Feb-11 A																							
MS1000	SCHEDULED FULL NOTICE TO PROCEED	0	0	100%	15-Mar-11 A																							
MS1096	MEANINGFUL CONSTRUCTION ACHIEVED	0	0	100%		23-Jun-11 A																						
MS1085	NAT GAS AVAILABLE BY OWNER	0	0	0%		23-Nov-12	79																					
MS1090G	GUARANTEED SUBSTANTIAL COMPLETION	0	0	0%		01-Jun-13*	0																					
MS1090D	SUBSTANTIAL COMPLETION - EXHIBIT D	0	0	0%		01-Jun-13*	0																					
PROJECT MILESTONES																												
MILESTONES																												
MS0500	ENGR RELEASE	0	0	100%	03-Feb-11 A																							
MS0104	MOBILIZE TO PROJECT SITE	0	0	100%	09-May-11 A																							
MS1010	START CONSTRUCTION	0	0	100%	09-May-11 A																							
MS1010A	START MEANINGFUL CONSTRUCTION	0	0	100%	23-May-11 A																							
MS1095B	MEANINGFUL CONSTRUCTION UG CW PIPING	0	0	100%		17-Jun-11 A																						
MS1095a	MEANINGFUL CONSTRUCTION COOLING TOWER	0	0	100%		23-Jun-11 A																						
CS0CTWR1005	COOLING TOWER FNDN COMPLETE	0	0	0%		29-Oct-11*	0																					
CS0CTWR1020	COOLING TOWER ERECTION START	0	0	0%	01-Nov-11*		48																					
CS2RFF1	READY FOR RE-FIRE 3&2	0	0	0%		18-Jan-13	15																					
CS2RFF2	READY FOR RE-FIRE 4&1	0	0	0%		18-Jan-13	23																					
EP2106	STG INITIAL SYNC (First Roll)	0	0	0%		19-Mar-13	0																					
EP0090	TARGET SUBSTANTIAL COMPLETION	0	0	0%		01-May-13	0																					
MS9000	PROJECT DEMOBILIZATION	0	0	0%		15-Jul-13	0																					
CALPINE																												
CALPINE PROVIDED EQUIPMENT																												
LNTP APPENDIX SUBMITTALS / DELIVERABLES																												
CBO-California Building Reviews																												
ENGINEERING																												
CIVIL																												
DESIGN PACKAGES																												
CIVIL																												
ENGINEERING PACKAGES																												
GEOTECHNICAL INVESTIGATIONS, STUDIES, AND RECOMMENDATIONS																												

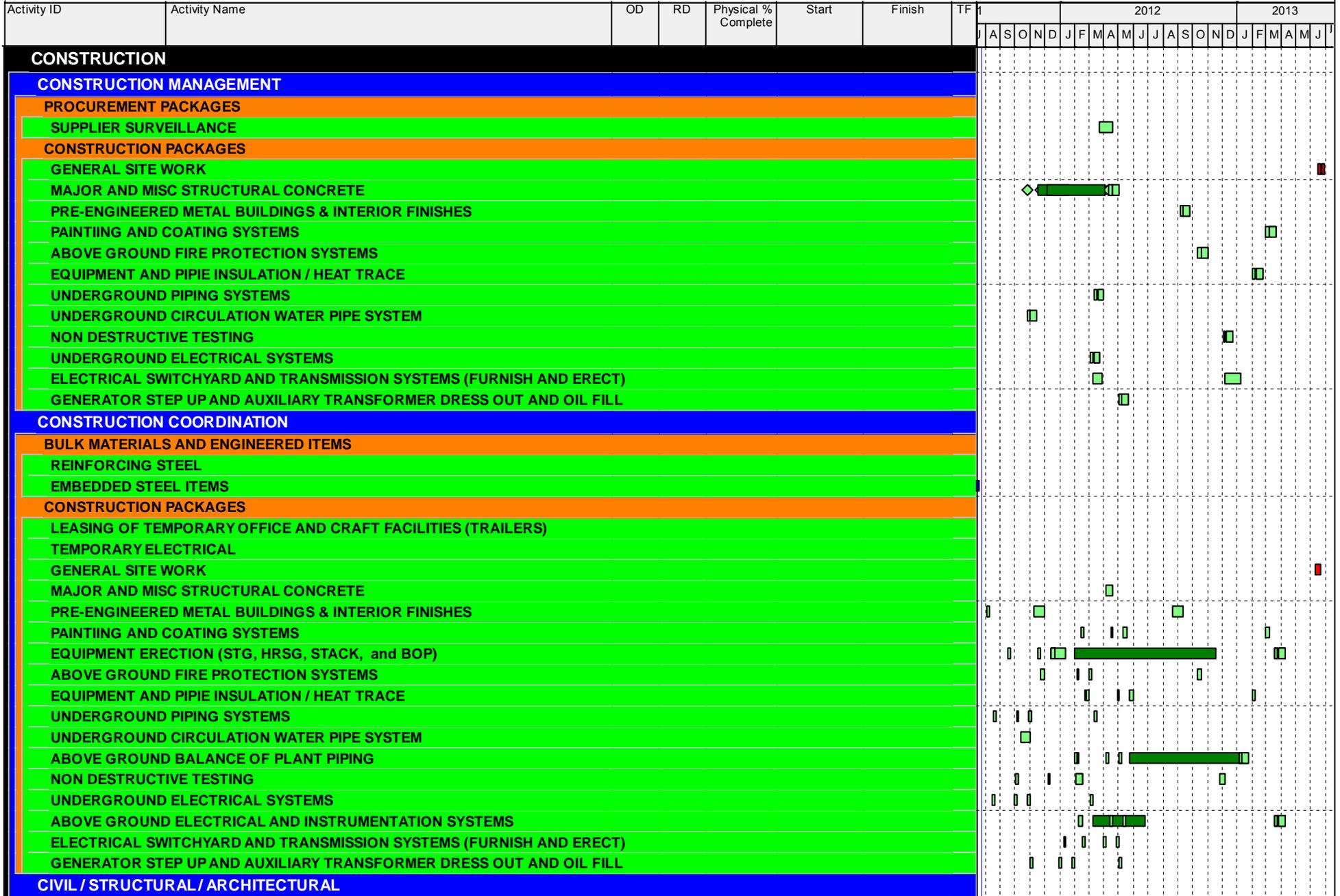
Remaining Level of Effort
 Remaining Work
 Actual Work
 Critical Remaining Work





Remaining Level of Effort
 Remaining Work
 Actual Work
 Critical Remaining Work





Remaining Level of Effort
 Remaining Work
 Actual Work
 Critical Remaining Work



**CONDITION OF CERTIFICATION
CUL-5**

**Los Esteros Critical Energy Facility, Phase 2
Monthly Compliance Report #4
September 2011**

Monthly Report of Cultural Resources Monitoring Activities for the Los Esteros Critical Energy Facility Phase 2 for September 1, 2011 through September 30, 2011; COC CUL-6

Prepared For: Sarah Madams/SAC
Prepared By: Clint Helton/CRS
Reporting For Period: September 1 to September 30

This report covers cultural resources monitoring activities at the LECEF from September 1 through September 30, as requested by Rod Jones of Calpine, and as per Condition of Certification CUL-6.

Personnel Active in Cultural Monitoring This Period

Henry Davis participated as CRM for this month.

Monitoring and Associated Activities This Period

Monitoring of ground disturbance included continued excavation of the steam pipe trench, exposure and removal a utility duct bank, Circulation Water Pit (CWP) clean up to 14 feet, and back filling of Steam Turbine Generator (STG) foundation and cooling tower with incidental removal of undisturbed soil. Sanitary sewer pipe trenching continues for the office trailer utilities. Native sub-soils were encountered during the steam pipe trenching; the CWP, and the sewer pipe trenching. Native sub-soils were at a depth of 2 to 3 feet from ground surface of the sewer pipe trench. The native soil is characterized as black silty clay overlaying light gray to yellow brown silty clays that may be intact depending on pre-fill topography. No native soils were encountered during the excavation of the duct bank. Weekly construction meeting were attended on 9/1, and 9/22.

Cultural Resources Discoveries This Period

No new cultural resources discoveries were made during this period.

Anticipated Changes in the Next Period

Major excavation activities will continue inside the facility. The CRM will remain on site to continue monitoring and to respond to discoveries if they occur.

Comments, Issues or Concerns

None.

**CONDITION OF
CERTIFICATION PAL-4**

**Los Esteros Critical Energy Facility,
Phase 2
Monthly Compliance Report #4
September 2011**

Report of Paleontological Resources Compliance Activities for Los Esteros Critical Energy Facility Phase 2- September 2011 (COC PAL-4)

Prepared For: Sarah Madams/SAC

Prepared By: Geof Spaulding, PRS/LAS

Date: October 3, 2011

This report covers paleontological resources compliance activities at the LECEF for the period noted above, as required by Conditions of Certification PAL-4.

Training Conducted This Month

Construction personnel continue to receive the CEC approved Paleontological Resources Awareness Module of the Worker Environmental Awareness Program (WEAP) prior to working on this project (COC PAL-3).

Personnel On-Call for Paleontological Monitoring This Period

Jaspal Saini, Paleontological Resources Monitor (PRM)

Dr. Geof Spaulding, Project Paleontological Resources Specialist (PRS)

Monitoring and Associated Activities This Period

The *Supplement and Amendment to the PRMMP for the Los Esteros Critical Energy Facility* (May 2011) provides an updated paleontological sensitivity assessment of the project area, subsequent to the monitoring activities and additional paleontological studies that accompanied Phase 1. It concludes that no additional monitoring for paleontological resources is warranted for this project.

As a result of the low paleontological resources sensitivity of the project site, no paleontological resources monitoring has been conducted. The paleontological resources awareness module of WEAP will continue to be administered to all construction personnel before starting work at the site.

Anticipated Changes in the Next Period

No changes are anticipated at this time.

Comments, Issues or Concerns

One fossil shell was found during back-fill of an approximately 6' deep trench. Proper communications protocols were followed, and the PRS was immediately notified. The fossil was determined to be non-significant, as it was not in situ and appears much older than the high paleontological sensitivity sediment at the Project site. The fossil likely either eroded out of the surrounding mountains or was deposited along with fill material brought on site. No similar finds are expected in the future.

**CONDITION OF CERTIFICATION
SOCIO-1**

**Los Esteros Critical Energy Facility, Phase 2
Monthly Compliance Report #4
September 2011**

September 27, 2011

ACTIVITIES REPORT FOR SOCIO -1

Work contracted to date utilizing Labor from the Bay Area:

- **TELECOM/McClure Electric** Trailer City electrical and communication installation
- **MISSION CITY REBAR INC** Reinforcing Steel
- **Modular Space Corporation** Leasing Of Temporary Office And Craft Trailers
- **HOMESITE SERVICES INC** Leasing of Construction Waste Dumpsters
- **HANSON & FITCH INC** Leasing of Temporary Toilets and Hand Wash Stations
- **KIER & WRIGHT CIVIL ENGINEERS AND SURVEYORS, INC.** Construction Survey
- **TRC ENGINEERS INC** Construction Materials Inspections and Testing
- **JAN PRO COMMERCIAL CLEANING** Temporary Facilities (Trailers) Cleaning
- **TRC ENGINEERS INC.** Hazardous Soils Testing
- **Central Concrete Supply** Ready Mix Concrete
- **C. Overaa & Co.** General Site Grading and Foundations
- **F-3** Surveyor
- **CASEY-FOGLI** Cement Finishing
- **CF&T** Concrete Pumping
- **DURAN & VENABLES** for all the excavating, backfilling
- **Harder Mechanical** CW Pipe Installation
- **Hanson CW Pipe** Mfg'd in Illinois because only supplier that could make Project Schedule delivery dates on site.
- **To Be Awarded** Temporary Fencing

No additional awards are currently forecasted for next 2 month

**CONDITION OF
CERTIFICATION TRANS-1**

**Los Esteros Critical Energy Facility,
Phase 2
Monthly Compliance Report #4
September 2011**

Los Esteros Critical Energy Facility Conditions of Certification – Construction Trip Generation Rates

TO: Rodney Jones/Calpine
 COPIES: Sarah Madams/CH2MHill
 FROM: Graham Satterwhite/CH2MHill
 DATE: September 21, 2011

The purpose of this memorandum is to document compliance with the Condition of Certification (COC) Trans-1 regarding monitoring of intersection operations during construction.

Construction of the Los Esteros Critical Energy Facility (LECEF) began May 9, 2011. As a baseline for pre-construction traffic conditions, turning movement counts were conducted at the intersections of McCarthy Road/eastbound SR 237 ramps, McCarthy Road/westbound SR 237 ramps, and McCarthy Road/Ranch Drive in the AM and PM peak periods on May 3, 2011. Turning movement counts were again conducted on September 13, 2011 to reflect during construction traffic conditions. These turning movements were used to compute average intersection delay and the corresponding Level of Service (LOS). The relationship of delay and LOS at signalized intersections is summarized in Table 1.

TABLE 1
 Intersection Level of Service Criteria

LOS	Unsignalized Intersection Delay per Vehicle (seconds)	Signalized Intersection Delay Per Vehicle (seconds)
A	≤10.0	≤ 10.0
B	>10.0 and ≤15.0	>10.0 and ≤20.0
C	>15.0 and ≤25.0	>20.0 and ≤35.0
D	>25.0 and ≤35.0	>35.0 and ≤55.0
E	>35.0 and ≤50.0	>55.0 and ≤80.0
F	>50.0	>80.0

Source: Highway Capacity Manual, 2000

Tables 2 and 3 indicate the AM and PM pre-construction and during construction traffic operations at these intersections.

TABLE 2
Study Intersection AM Peak Hour Operations –Pre Construction and During Construction

#	Study Intersection	Traffic Control	Pre Construction (5/3/11)		During Construction (9/13/11)	
			Delay	LOS	Delay	LOS
1	McCarthy Road/Eastbound SR 237 Ramps	Signal	17.0	B	17.4	B
2	McCarthy Road/Westbound SR 237 Ramps	Signal	17.3	B	17.4	B
3	McCarthy Road/Ranch Drive	Signal	20.1	C	21.9	C

Caltrans LOS Threshold = D

Santa Clara County LOS Threshold = D

Bold indicates intersection with LOS exceeding relevant agency threshold

TABLE 3
Study Intersection PM Peak Hour Operations –Pre Construction and During Construction

#	Study Intersection	Traffic Control	Pre Construction		During Construction (9/13/11)	
			Delay	LOS	Delay	LOS
1	McCarthy Road/Eastbound SR 237 Ramps	Signal	23.3	C	23.9	C
2	McCarthy Road/Westbound SR 237 Ramps	Signal	22.3	C	17.0	B
3	McCarthy Road/Ranch Drive	Signal	31.2	C	49.4	D

Caltrans LOS Threshold = D

Santa Clara County LOS Threshold = D

Bold indicates intersection with LOS exceeding relevant agency threshold

Overall, traffic operations near the Los Esteros Critical Energy Facility project have remained similar to before construction of the Los Esteros Critical Energy Facility began in May 2011, except at McCarthy Road and Ranch Drive in the PM peak hour where an increase in northbound traffic has increased the intersection delay. All intersections still meet the applicable LOS threshold. Future intersection analysis should compare operational results to the pre-construction condition and the Caltrans and Santa Clara County LOS thresholds to determine compliance with the identified COC.

**CONDITION OF
CERTIFICATION TRANS-4**

**Los Esteros Critical Energy Facility,
Phase 2
Monthly Compliance Report #4
September 2011**

Work Done to Support TRANS-4:

- Craft parking lot completed in late June allowing construction workers to access the project from the 13-acre lay down area
- Construction workers are using McCarthy Road/Ranch Drive intersection to travel to and from the project site
- Gravel roadway placed to support construction worker vehicle traffic entering the project site
- K-rails installed to protect workers walking from the parking area to the project site
- Construction signage erected on Thomas Foon Chew Way
- Safety & SWPPP fencing installed at entrance gate and along gravel roadway near Highway 237 Bikeway path
- Handicap parking space signs and project site plan sign (in progress, but not part of COC)

1.1 MONTHLY GOVERNMENT APPROVALS & PERMITS

The following meetings were held during September 2011 period:

- September 6 – Compliance matrix update call
- September 7 – Weekly CBO call
- September 13 – Compliance matrix update call
- September 14 – Weekly CBO call
- September 20 – Compliance matrix update call
- September 21 – Weekly CBO call
- September 27 – Compliance matrix update call

These documents were submitted during this report period.

- September 1: STRUC-1, CBO-210 Concrete Mix Design: Disposition received, response required.
- September 2: ELEC-1, CBO-401 Grounding & Grounding Plans: 5 drawings sent to the CBO.
- September 2: STRUC-1, CBO-051 Mechanical Specifications: One revised spec sent to the CBO.
- September 2: ELEC-1, CBO-051 Electrical Specifications: One spec sent to the CBO.
- September 6: GEN-2, CBO-051 Structural Specifications: Revised 033000 Cast-in-Place Concrete spec sent to the CBO.
- September 6: STRUC-1, CBO-204 Cooling Tower Foundation & Calculations: Approved disposition received for all documents to date.
- September 6: STRUC-1, CBO-204 Cooling Tower Foundation & Calculations: Approved disposition received.
- September 7: STRUC-1, CBO-216 Oil Water Separator/Cooling Water Heat Exchanger Foundation Designs: Two documents sent to the CBO.
- September 7: STRUC-1, CBO-202 HRSG Foundation & Calculations: One revised drawing sent to the CBO.
- September 7: GEN-6, CBO-052 Special Inspectors-Sean Fuller: Approved disposition received.
- September 7: STRUC-1, CBO-901 Temporary Trailers & Decking: Approved disposition received.
- September 8: ELEC-1, CBO-902 Temporary Trailer Utilities: Disposition received, response required.
- September 8: GEN-2, CBO-051 Electrical Specifications: Disposition received for 260526 Grounding & Bonding, response required.
- September 9: MECH-1, CBO-307 Platform Fabricator: Six documents sent to the CBO.
- September 9: STRUC-1, CBO-216 Oil Water Separator Cooling Water Exchanger Foundation Designs: One drawing sent to the CBO.
- September 9: MECH-1, CBO-306 Modular Fabrication: 73 documents sent to the CBO.

- September 9: STRUC-1, CBO-203 STG Foundation and Calculations: One revised document sent to the CBO.
- September 9: ELEC-1, CBO-401 Grounding & Grounding Plans: Disposition received, response required.
- September 13: GEN-2, CBO-004 QA/QC Manual Pressure Test-Work Instructions: Disposition received, response required
- September 14: STRUC-1, CBO-205 Cooling Tower Depot: Revised calcs and Jack Stone letter sent to the CBO.
- September 16: MECH-1, CBO-308 Repair Procedures: One document sent to the CBO.
- September 19: ELEC-1, CBO-401 Grounding & Grounding Plans: Nine documents sent to the CBO.
- September 19: GEN-2, CBO-051 Civil Specifications: Revised Earthwork and disposition response sent to the CBO.
- September 20: GEN-2, CBO-051 Structural Specifications: Revised 033000 Cast-In-Place Concrete spec sent to the CBO.
- September 21: GEN-4, CBO-001 Deputy Resident Engineer: Douglas Brown resume sent to the CBO.
- September 21: GEN-2, CBO-051 Civil Specifications: Approved disposition received for 033000 Cast-in-Place Concrete spec.
- September 21: GEN-2, CBO-051 Mechanical Specifications: Approved disposition received for 016500 Product Shipment, Delivery, Receiving and Storage.
- September 22: STRUC-1, CBO-214 GSU Foundation: Disposition received, response required.
- September 22: ELEC-1, CBO-401 Grounding & Grounding Plans: Approved disposition received for documents sent to the CBO on 9/19/11.
- September 22: GEN-6, CBO-052 Special Inspectors: Denise Corkill resume and updated matrix sent to the CBO.
- September 22: STRUC-1, CBO-213 HRSG ASME Calculations: Disposition response and five revised calculations sent to the CBO.
- September 22: MECH-1, CBO-304 Revised Submittal Utility Reroute Plan Drawing: One revised drawing sent to the CBO.
- September 22: GEN-2, CBO-004 Construction QA/QC Manual-Pressure Test-Work Instruction: Revised document sent to the CBO.
- September 23: ELEC-1, CBO-451 UG Duct Banks: Nine drawings sent to the CBO.
- September 23: MECH-1, CBO-304 UG Piping: One drawing sent to the CBO.
- September 26: STRUC-1, CBO-203 STG Foundation & Calculations: One revised drawing sent to the CBO.
- September 26: STRUC-1, CBO-204 Cooling Tower Foundation & Calculations: One revised drawing sent to the CBO.
- September 26: GEN-5, CBO-002 Responsible Engineers: Updated letter sent to the CBO.
- September 26: MECH-1, CBO-1003 UG Fire Protection Test Package: One document sent to the CBO.

REVISED: 09/27/2011

PENDING
PAST DUE
IN REVIEW
COMPLETE
Monthly Submittal
When required

CONDITION	NO.	Sort Code	CBO	PERIODIC REPORTS	Description of Project Owner Responsibilities (Conditions of Certification)	Verification/Action/Submittal Required by Project Owner	Timeframe	Days	Lead Respons. Party
AIR QUALITY									
AQ	SC1	PC			Air Quality Construction Mitigation Manager (AQCOMM): The project owner shall designate and retain an on-site AQCOMM who shall be responsible for directing and documenting compliance with conditions AQ-SC3, AQ-SC4 and AQ-SC5 for the entire project site and linear facility construction. The AQCOMM shall not be terminated without written consent from the CPM.	At least 60 days prior to the start of ground disturbance, the project owner shall submit to the CPM for approval, the name, resume, qualifications, and contact information for the on-site AQCOMM and all AQCOMM Delegates.	Prior to the start of ground disturbance	60	LGC
AQ	SC2	PC			Air Quality Construction Mitigation Plan (AQCOMP): The project owner shall provide an AQCOMP, for approval, which details the steps that will be taken and the reporting requirements necessary to ensure compliance with conditions AQ-SC3, AQ-SC4 and AQ-SC5.	At least 60 days prior to the start of any ground disturbance, the project owner shall submit the AQCOMP to the CPM for approval.	Prior to the start of ground disturbance	60	LECEF
AQ	SC3	CONS		MCR	The AQCOMM shall submit documentation to the CPM in each Monthly Compliance Report (MCR) that demonstrates compliance with the mitigation measures listed in AQ-SC3 for the purposes of preventing all fugitive dust plumes from leaving the Project. Deviation from the listed mitigation measures requires prior CPM notification and approval.	The project owner shall include in the MCR (1) a summary of all actions taken to maintain compliance with this condition, (2) copies of any complaints filed with the air district in relation to project construction, and (3) any other documentation deemed necessary by the CPM and AQCOMM to verify compliance with this condition.			LGC
AQ	SC4	CONS			The AQCOMM or an AQCOMM Delegate shall monitor all construction activities for visible dust plumes. Observations of visible dust plumes that have the potential to be transported (1) off the project site or (2) 200 feet beyond the centerline of the construction of linear facilities or (3) within 100 feet upwind of any regularly occupied structures not owned by the project owner indicate that existing mitigation measures are not resulting in effective mitigation. If visible dust plumes are observed, the AQCOMM or delegate shall implement the procedures outlined in AQ-SC4.	The AQCOMP shall include a section detailing how the additional mitigation measures will be accomplished within the time limits specified.			LGC
AQ	SC5	CONS		MCR	The AQCOMM shall submit to the CPM, in the MCR, a construction mitigation report that demonstrates compliance with the mitigation measures listed in AQ-SC5 for the purposes of controlling diesel construction-related emissions. Deviation from the listed mitigation measures shall require prior CPM notification and approval.	The project owner shall include in the MCR (1) a summary of all actions taken to maintain compliance with this condition, (2) copies of all diesel fuel purchase records, (3) a list of all heavy equipment used on site during that month, including the owner of that equipment and a letter from each owner indicating that equipment has been properly maintained, and (4) any other documentation deemed necessary by the CPM and AQCOMM to verify compliance with this condition.			LGC
AQ	SC6	ALL			The project owner shall submit to the CPM for review and approval any modification proposed by the project owner to any project air permit. The project owner shall submit to the CPM for review any modification to any air permit for the project proposed by the District or any other agency.	The project owner shall submit any proposed air permit modification to the CPM within five business days of its submittal either by 1) the project owner to an agency, or 2) receipt of proposed modifications from any agency.	After permit modification submittal	5	LECEF
AQ	SC6	ALL				The project owner shall submit a final copy of any modified air permit to the CPM within 15 business days after the issue date on the permit.	After the issue date on the permit	15	LECEF
AQ	SC7	PRE-OP			The project shall surrender the emission offset credits listed in AQ-SC7, as amended, or a modified list, as allowed by this condition, at the time that surrender is required by condition AQ-35 (district permit Part 35)	The project owner shall submit to the CPM a list of ERCs to be surrendered to the District at least 60 days prior to initial startup.	Prior to initial startup	60	LECEF
AQ	SC8	ALL			The project owner shall comply with all staff (AQ-SC) and district (AQ) Conditions of Certification.	The project owner shall notify the CPM in writing of any proposed change to a condition of certification pursuant to this condition and shall provide the CPM with any additional information the CPM requests to substantiate the basis for approval.			LECEF
AQ	SC9	PC			The project owner/operator shall submit documentation proving the previous withdrawal of 34.11 tons of SOx Emissions Reductions Credits (ERCs).	The project owner/operator shall submit proof of previous withdrawal of 34.11 tons of SOx ERCs prior to the start of construction on the Combined Cycle conversion of the project.	Prior to the start of construction		LECEF
AQ	SC9	PRE-OP			The project owner/operator shall further surrender an additional 13.730 tons of SOx ERCs.	The project owner/operator shall surrender the remaining 13.730 tons of SOx ERCs to the district for permanent withdrawal from the bank prior to first fire of any gas turbine following the installation of the duct burners and associated equipment	Prior to first fire		LECEF

AQ	SC10	OP		AQ-34	The project owner shall report to the CPM the quantity of CO2 emitted on an annual basis as a direct result of electricity generation.	CO2 emissions shall be reported to the CPM once per calendar year, as part of the first quarterly compliance report submitted each year as required in Condition of Certification AQ-34.			LECEF
AQ	SC11				DELETED				LECEF
AQ	SC12	OP		ACR	The project owner shall not operate S-5 Fire Pump Diesel Engine for testing to demonstrate compliance with a District, State, or Federal emission limit or for reliability related activities (maintenance and other testing, but excluding emission testing) simultaneously with the operation of any gas turbine (S-1, S-2, S-3, or S-4) in start-up mode.	As part of the quarterly and annual compliance reports as required by AQ-34, the project owner shall include information on the date, time, and duration of any violation of this permit condition.			LECEF
AQ	SC12	OP		AQ-34		As part of the quarterly and annual compliance reports as required by AQ-34, the project owner shall include information on the date, time, and duration of any violation of this permit condition.			LECEF
AQ	SC13	OP		ACR	The project owner shall limit the operation of S-5 Fire Pump Diesel Engine to the hours between 8 a.m. and 5 p.m. for reliability related activities (maintenance and other testing, but excluding emission testing or emergency operation).	As part of the quarterly and annual compliance reports as required by AQ-34, the project owner shall include information on the date, time, and duration of any violation of this permit condition.			LECEF
AQ	SC13	OP		AQ-34		As part of the quarterly and annual compliance reports as required by AQ-34, the project owner shall include information on the date, time, and duration of any violation of this permit condition.			LECEF
AQ	1	PRE-OP		Commissioning Emissions Report	The owner/operator of the LECEF shall minimize the emissions of carbon monoxide and nitrogen oxides from S-1, S-2, S-3 and S-4 Gas Turbines and S-7, S-8, S-9, and S-10 HRSG to the maximum extent possible during the commissioning period.	The project owner/operator shall specifically demonstrate compliance with this Condition of Certification as part of the Commissioning Plan and Monthly Commissioning Emissions Reports required by AQ-5 and AQ-10 respectively			LGC
AQ	2	PRE-OP		Commissioning Emissions Report	At the earliest feasible opportunity in accordance with the recommendations of the equipment manufacturers and the construction contractor, the owner/operator shall tune the S-1, S-2, S-3 and S-4 Gas Turbine combustors to minimize the emissions of carbon monoxide and nitrogen oxides.	The project owner/operator shall specifically demonstrate compliance with this Condition of Certification as part of the Commissioning Plan and Monthly Commissioning Emissions Reports required by AQ-5 and AQ-10 respectively.			LGC
AQ	3	PRE-OP		Commissioning Emissions Report	At the earliest feasible opportunity and in accordance with the recommendations of the equipment manufacturers and the construction contractor, the owner/operator shall install, adjust and operate the SCR Systems (A-10, A-12, A-14 & A-16) and OC Systems (A-9, A-11, A-13 & A-15) to minimize the emissions of NOx and CO from S-1, S-2, S-3 and S-4 Gas Turbines and S-7, S-8, S-9, and S-10 HRSG.	The project owner/operator shall specifically demonstrate compliance with this Condition of Certification as part of the Commissioning Plan and Monthly Commissioning Emissions Reports required by AQ-5 and AQ-10 respectively.			LGC
AQ	4	PRE-OP		Commissioning Emissions Report	Coincident with the steady-state operation of SCR Systems (A-10, A-12, A-14 & A-16) and OC Systems (A-9, A-11, A-13 & A-15) pursuant to AQ-3, the owner/operator shall operate the facility in such a manner that the Gas Turbines (S-1, S-2, S-3 and S-4) comply with the NOx and CO emission limitations specified in AQ-19a and AQ-19c.	The project owner/operator shall specifically demonstrate compliance with this Condition of Certification as part of the Commissioning Plan and Monthly Commissioning Emissions Reports required by AQ-5 and AQ-10 respectively.			LGC
AQ	5	PRE-OP			The owner/operator of the Los Esteros Critical Energy Facility shall submit a plan to the District Permit Services Division at least two weeks prior to first firing of S-1, S-2, S-3 & S-4 Gas Turbines and/or S-7, S-8, S-9, & S-10 HRSGs describing the procedures to be followed during the commissioning of the turbines in the combined-cycle configuration.	The project owner/operator shall submit a Commissioning Plan to the District Permit Services Division and the CPM for approval at least two weeks prior to first fire of S-1, S-2, S-3 and S-4.	Prior to first fire	14	LGC
AQ	6	PRE-OP		Commissioning Emissions Report	During the commissioning period, the owner/operator of the LECEF shall demonstrate compliance with AQ-8 through AQ-10 through the use of properly operated and maintained continuous emission monitors and data recorders for the parameters listed in AQ-6, as amended.	The project owner/operator shall specifically demonstrate compliance with this Condition of Certification as part of the Commissioning Plan and Monthly Commissioning Emissions Reports required by AQ-5 and AQ-10 respectively.			LGC
AQ	7	PRE-OP			The owner/operator shall install, calibrate and make operational the District-approved continuous monitors specified in AQ-6, as amended, prior to first firing of each turbine (S-1, S-2, S-3 and S-4 Gas Turbines) and HRSG (S-7, S-8, S-9, and S-10 Heat Recovery Steam Generators).	The project owner/operator shall notify the District and CPM of the date of expected first fire at least 30 days prior to first fire and shall make the project site available for inspection if desired by either the District or CPM.	Prior to first fire	30	LGC
AQ	8	PRE-OP			The owner/operator shall not operate the facility such that the number of firing hours of S-1, S-2, S-3 and S-4 Gas Turbines and/or S-7, S-8, S-9, and S-10 HRSG without abatement by SCR or OC systems exceed 250 hours for each power train during the commissioning period. Such operation of the S-1, S-2, S-3 and S-4 Gas Turbines without abatement shall be limited to discrete commissioning activities that can only be properly executed without the SCR or OC system in place.	The owner/operator shall provide written notice to the CPM and the District Permit Services & Enforcement Divisions within five business days of completion of all commissioning activities, at which time the unused balance of the 250 firing hours without abatement shall expire.	After completion of all commissioning activities	5	LGC
AQ	9	PRE-OP		Commissioning Emissions Report	The total mass emissions of nitrogen oxides, carbon monoxide, precursor organic compounds, PM10, and sulfur dioxide that are emitted by the S-1, S-2, S-3 and S-4 Gas Turbines and S-7, S-8, S-9, and S-10 HRSG during the commissioning period shall accrue towards the consecutive twelve-month emission limitations specified in AQ-22.	The project owner/operator shall specifically demonstrate compliance with this Condition of Certification as part of each Monthly Commissioning Emissions Report required by AQ-10 and as part of the first Quarterly Operations Report required by AQ-34 after the completion of commissioning			LGC

AQ	10	PRE-OP		Commissioning Emissions Report	The owner/operator shall not operate the facility such that the pollutant mass emissions from each turbine (S-1, S-2, S-3, and S-4 Gas Turbines) and corresponding HRSG (S-7, S-8, S-9, and S-10 Heat Recovery Steam Generators) exceed the limits during the commissioning period listed in AQ-10 as amended.	The project owner/operator shall submit to the CPM for approval, a Monthly Commissioning Emissions Report that includes fuel use, turbine operation, post combustion control operation, ammonia use and CEM readings on an hourly and daily basis			LGC
AQ	11	PRE-OP			Within sixty (60) days of startup, the owner/operator shall conduct a District approved source test using external continuous emission monitors to determine compliance with AQ-10.	The project owner/operator shall submit the source test plan and results as required in the time frames indicated in this Condition of Certification.	Prior to startup	60	LGC
AQ	11	PRE-OP			Thirty (30) days before the execution of the source tests, the owner/operator shall submit to the District a detailed source test plan designed to satisfy the requirements of AQ-11. The owner/operator shall be notified of any necessary modifications to the plan within twenty (20) working days of receipt of the plan; otherwise the plan shall be deemed approved. District comments shall be incorporated into the test plan.		Prior to source tests	30	LGC
AQ	11	PRE-OP			The owner/operator shall notify the District within ten (10) days prior to the planned source testing date.		Prior to source tests	10	LGC
AQ	11	PRE-OP			Source test results shall be submitted to the District within sixty (60) days of the source testing date.		After source test results	60	LGC
AQ	12	OP		AQ-34	Operation of this equipment shall be conducted in accordance with all information submitted with the application (and supplements thereof) and the analyses under which this permit is issued unless otherwise noted below.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.			LECEF
AQ	13	OP		AQ-34	In the event that any part herein is determined to be in conflict with any other part contained herein, then, if principles of law do not provide to the contrary, the part most protective of air quality and public health and safety shall prevail to the extent feasible.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.			LECEF
AQ	14	OP			All reasonable expenses, as set forth in the District's rules or regulations, incurred by the District for all activities that follow the issuance of this permit, including but not limited to permit condition implementation, compliance verification and emergency response, directly and necessarily related to enforcement of the permit shall be reimbursed by the owner/operator as required by the District's rules or regulations.	The owner/operators shall make access available to the facility and records upon request as set forth in Condition of Certification AQ-15			LECEF
AQ	15	OP			As to any part that requires for its effective enforcement the inspection of records or facilities by representatives of the District, the Air Resource Board (ARB), the U.S. EPA, or the CEC, the owner/operator shall make such records available or provide access to such facilities upon notice from representatives of the District, ARB, U.S. EPA, or CEC.	The owner/operator shall maintain records for a minimum of five (5) years and provide access to records and facilities as requested by the ARB, EPA, District and CEC.			LECEF
AQ	16	PRE-OP			The owner/operator shall notify the District of the date of anticipated commencement of turbine operation not less than 10 days prior to such date. Temporary operations under this permit are granted consistent with the District's rules and regulations	The owner/operators shall notify the District and CPM of the date of anticipated commencement of turbine operation not less than 10 days prior to such date.	prior to turbine operation	10	LECEF
AQ	17	OP			The owner/operator shall insure that the gas turbines, HRSGs, emissions controls, CEMS, and associated equipment are properly maintained and kept in good operating condition at all times.	The owner/operators shall make access available to the facility and records upon request as set forth in Condition of Certification AQ-15			LECEF
AQ	18	OP			The owner/operator shall insure that no air contaminant is discharged from the LECEF into the atmosphere for a period or periods aggregating more than three minutes in any one hour, which is as dark or darker than Ringelmann 1 or equivalent 20% opacity.	The owner/operators shall make access available to the facility and records upon request as set forth in Condition of Certification AQ-15.			LECEF
AQ	19	OP		AQ-34	a. The emissions of oxides of nitrogen (as NO ₂) from emission points P-1, P-2, P-3, and P-4 (combined exhaust of gas turbine/HRSG power trains S-1 & S-7, S-2 & S-8, S-3 & S-9, and S-4 & S-10, respectively) each shall not exceed 2.0 ppmvd @ 15% O ₂ (1-hour rolling average), except during periods of gas turbine startup and shutdown and shall not exceed 4.68 lb/hour (1-hour rolling average) except during periods of gas turbine startup as defined in this permit.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.			LECEF
AQ	19	OP		AQ-34	b. Emissions of ammonia from emission points P-1, P-2, P-3, and P-4 (combined exhaust of gas turbine/HRSG power trains S-1 & S-7, S-2 & S-8, S-3 & S-9, and S-4 & S-10, respectively) each shall not exceed 5 ppmvd @ 15% O ₂ (3-hour rolling average), except during periods of start-up or shutdown as defined in this permit. The ammonia emission concentration shall be verified by the continuous recording of the ratio of the ammonia injection rate to the NO _x inlet rate into the SCR control system (molar ratio).	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.			LECEF

AQ	19	OP		AQ-34	c. Emissions of carbon monoxide (CO) from emission points P-1, P-2, P-3, and P-4 (combined exhaust of gas turbine/HRSG power trains S-1 & S-7, S-2 & S-8, S-3 & S-9, and S-4 & S-10, respectively) each shall not exceed 2.0 ppmvd @ 15% O ₂ (1-hour rolling average), except during periods of start-up or shutdown as defined in this permit and shall not exceed 2.85 lb/hr (1-hour rolling average) except during periods of start-up as defined in this permit.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.				LECEF
AQ	19	OP		AQ-34	d. Emissions of precursor organic compounds (POC) from emission points P-1, P-2, P-3, and P-4 (combined exhaust of gas turbine/HRSG power trains S-1 & S-7, S-2 & S-8, S-3 & S-9, and S-4 & S-10, respectively) each shall not exceed 1 ppmvd @ 15% O ₂ (1-hour rolling average), except during periods of gas turbine startup or shutdown as defined in this permit; and shall not exceed 0.81 lb/hr (1-hour rolling average) except during periods of startup as defined in this permit.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.				LECEF
AQ	20	OP		AQ-34	Turbine Start-up: The project owner shall ensure that the regulated air pollutant mass emission rates from each of the Gas Turbines (S-1 & S-3) during a startup does not exceed the limits established in AQ-20, as amended.	The project owner shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.				LECEF
AQ	21	OP		AQ-34	Turbine Shutdown: The project owner shall operate the gas turbines so that the duration of a shutdown does not exceed 30 minutes per event, or other time period based on good engineering practice that has been approved in advance by the BAAQMD. Shutdown begins with the initiation of the turbine shutdown sequence and ends with the cessation of turbine firing.	The project owner shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.				LECEF
AQ	22	OP		AQ-34	The owner/operator shall operate the LECEF so that the mass emissions from the S-1, S-2, S-3 & S-4 Gas Turbines and S-7, S-8, S-9, & S-10 HRSGs do not exceed the daily and annual mass emission limits specified in AQ-22, as amended. The owner/operator shall implement process computer data logging that includes running emission totals to demonstrate compliance with these limits so that no further calculations are required.	The project owner shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.				LECEF
AQ	23	OP		AQ-34	The owner/operator shall operate the LECEF so that the sulfuric acid mist emissions (SAM) from S-1, S-2, S-3, S-4, S-7, S-8, S-9, and S-10 combined do not exceed 7 tons totaled over any consecutive four quarters.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.				LECEF
AQ	24	OP		AQ-34	In order to comply with the mass emission limits of this rule, the owner/operator shall operate the gas turbines and HRSGs so that they comply with the operational limits of AQ-24, as amended.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.				LECEF
AQ	25	OP			The owner/operator shall ensure that each gas turbine/HRSG power train complies with the monitoring requirements of AQ-25	The owner/operators shall make access available to the facility and records upon request as set forth in Condition of Certification AQ-15.				LECEF
AQ	26	OP			Within ninety (90) days of the startup of the gas turbines and HRSGs , and at a minimum on an annual basis thereafter, the owner/operator shall perform a RATA on the CEMS in accordance with 40 CFR Part 60 Appendix B Performance Specifications and a source test shall be performed.		After startup of the gas turbines and HRSGs	90		LGC
AQ	26	OP			Within ninety (90) days of the startup of the gas turbines and HRSGs, and at a minimum on an annual basis thereafter , the owner/operator shall perform a RATA on the CEMS in accordance with 40 CFR Part 60 Appendix B Performance Specifications and a source test shall be performed.					LECEF
AQ	26	OP			A complete test protocol shall be submitted to the District no later than 30 days prior to testing,	At least 30 days prior to the date of each source test, the owner/operator shall submit a source test protocol to the District and the CPM for approval.	Prior to the date of each source test	30		LGC
AQ	26	OP			Notification to the District at least ten days prior to the actual date of testing shall be provided so that a District observer may be present.	At least 10 days prior to the testing date, the owner/operator shall notify the District and the CPM of the date of the source test.	Prior to the testing date	10		LGC
AQ	26	OP			The written test results of the source tests shall be provided to the District within thirty days after testing.	No more than 30 days after the date of the source test, the owner/operator shall submit the results of the RATA and source test to the District and the CPM for approval.	After to the testing date	30		LGC
AQ	27	OP		AQ-34	Within 60 days of start-up of the LECEF in combined-cycle configuration and on a semi-annual basis thereafter, the owner/operator shall conduct a District approved source test on exhaust points P-1, P-2, P-3, and P-4 while each Gas Turbine/HRSG power train is operating at maximum load to demonstrate compliance with the SAM emission limit specified in AQ-23. The owner/operator shall test for (as a minimum) SO ₂ , SO ₃ , and SAM.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.	After startup of the gas turbines and HRSGs	60		LGC

AQ	27	OP		AQ-34	Within 60 days of start-up of the LECEF in combined-cycle configuration and on a <u>semi-annual basis thereafter</u> , the owner/operator shall conduct a District approved source test on exhaust points P-1, P-2, P-3, and P-4 while each Gas Turbine/HRSG power train is operating at maximum load to demonstrate compliance with the SAM emission limit specified in AQ-23. The owner/operator shall test for (as a minimum) SO ₂ , SO ₃ , and SAM.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.			LECEF
AQ	28	PRE-OP			The owner/operator shall prepare a written quality assurance program must be established in accordance with 40 CFR Part 75, Appendix B and 40 CFR Part 60 Appendix F.	The owner/operators shall make access available to the facility and records upon request as set forth in Condition of Certification AQ-15.			LGC
AQ	29				DELETED				LECEF
AQ	30	OP		AQ-34	The owner/operator shall notify the District of any breakdown condition consistent with the District's breakdown regulations.	The project owner/operator shall provide duplicate notification to the CPM of all breakdown notifications provided to the District, as required by District breakdown regulations. The duplicate notification shall be submitted to the CPM at the same time it is submitted to the District. The project owner/operator shall also include all breakdown reports for each quarter as part of the quarterly report required by Condition of Certification AQ-34.			LECEF
AQ	31	OP		AQ-34	The owner/operator shall notify the District in writing in a timeframe consistent with the District's breakdown regulations following the correction of any breakdown condition.	The project owner/operator shall provide duplicate notification to the CPM of all breakdown notifications provided to the District, as required by District breakdown regulations. The duplicate notification shall be submitted to the CPM at the same time it is submitted to the District. The project owner/operator shall also include all breakdown reports for each quarter as part of the quarterly report required by Condition of Certification AQ-34.			LECEF
AQ	32	OP			Recordkeeping: The owner/operator shall maintain the records listed in AQ-32. The format of the records is subject to District review and approval	The owner/operators shall make access available to the facility and records upon request as set forth in Condition of Certification AQ-15.			LECEF
AQ	33	OP			The owner/operator shall maintain all records required by this permit for a minimum period of five years from the date of entry and shall make such records readily available for District inspection upon request.	The owner/operators shall make access available to the facility and records upon request as set forth in Condition of Certification AQ-15.			LECEF
AQ	34	OP		AQ-34	The owner/operator shall submit to the District a written report for each calendar quarter, within 30 days of the end of the quarter, which shall include the items listed in AQ-34.	The owner/operator shall submit to the District and the CPM for approval, written reports for each calendar quarter, within thirty (30) days of the end of the quarter.			LECEF
AQ	34	OP		AQ-34		The report submitted in January of each year shall include an annual summary of the four quarterly reports of the preceding year.			LECEF
AQ	35	PC			The project owner shall provide 23.35 tons of valid NO _x emission reduction credits prior to the issuance of the Authority to Construct.	At least 10 days prior to the issuance of the ATC, the project owner/operator shall submit all necessary ERC certificates to the District and provide copies of all documentation to the CPM at the same time.	Prior to the issuance of the ATC	10	LECEF
AQ	36	ALL		AQ-34	The owner/operator shall apply for and obtain all required operating permits from the District in accordance with the requirements of the District's rules and regulations.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34			LECEF
AQ	37				DELETED				LECEF
AQ	38				DELETED				LECEF
AQ	39	OP		AQ-34	The project owner shall not operate S-5 Fire Pump Diesel Engine more than 50 hours per year for reliability related activities.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34			LECEF
AQ	40	OP		AQ-34	The project owner shall operate S-5 Fire Pump Diesel Engine only for the following purposes: to mitigate emergency conditions, for emission testing to demonstrate compliance with a District, State, or Federal emission limit, or for reliability related activities (maintenance and other testing, but excluding emission testing).	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34			LECEF
AQ	41	OP		AQ-34	The project owner shall operate S-5 Fire Pump Diesel Engine only when a nonresettable totalizing meter (with a minimum display capability of 9,999 hours) that measures the hours of operation for the engine is installed, operated and properly maintained.	The project owners shall make access available to the facility and records upon request as set forth in Condition of Certification AQ-15 and submit photos of the meter in quarterly reports.			LECEF
AQ	42	OP			The project owner shall maintain the following monthly records as set forth in AQ-42, as amended, in a District approved log for at least 60 months from the date of entry. Log entries shall be retained on site, either at a central location or at the engine's location, and made immediately available to the District staff upon request.	The owner/operators shall make access available to the facility and records upon request as set forth in Condition of Certification AQ-15.			LECEF

AQ	43	OP			The owner/operator shall operate the facility such that maximum calculated annual toxic air contaminant emissions (pursuant to AQ-45) from the gas turbines and HRSGs combined (S-1, S-2, S-3, S-4, S-7, S-8, S-9, and S-10) do not exceed the limits of AQ-43, <u>unless the following requirement is satisfied</u> : The owner/operator performs a health risk assessment, as set forth in AQ-43, and the District and CPM adjust the carcinogenic compound emission limits. The analysis shall be submitted to the District and the CEC CPM within 60 days of the source test date.	See Condition of Certification AQ-44.			LECEF	
AQ	44	OP			To demonstrate compliance with AQ-43, the owner/operator shall calculate and record on an annual basis the maximum projected annual emissions for the compounds specified in AQ-43 using the maximum heat input of 18,215,000 MMBtu/year and the highest emission factor (pound of pollutant per MMBtu) determined by any source test of the S-1, S-2, S-3 & S-4 Gas Turbines and S-7, S-8, S-9, and S-10 HRSGs.	Within 60 days of the completion of any health risk assessment, the owner/operator shall submit a complete report to the District and the CPM for review.	After completion of any health risk assessment	60	LECEF	
AQ	45	PRE-OP			<u>Within 60 days of startup</u> of the Los Esteros Critical Energy Facility and on a biennial (once every two years) thereafter, the owner/operator shall conduct a District-approved source test at exhaust point P-1, P-2, P-3, or P-4 while the Gas Turbines are at maximum allowable operating rates to demonstrate compliance with AQ-44.	At least 20 days prior to the intended source test date, the owner/operator shall submit a source testing methodology to the District and CPM for review and approval.	Prior to the intended source test date	20	LGC	
AQ	45	OP			Within 60 days of startup of the Los Esteros Critical Energy Facility and <u>on a biennial (once every two years) thereafter</u> , the owner/operator shall conduct a District-approved source test at exhaust point P-1, P-2, P-3, or P-4 while the Gas Turbines are at maximum allowable operating rates to demonstrate compliance with AQ-44.	At least 20 days prior to the intended source test date, the owner/operator shall submit a source testing methodology to the District and CPM for review and approval.	Prior to the intended source test date	20	LECEF	
AQ	45	OP				Within 30 days of the source testing date, all test results shall be submitted to the District and the CEC CPM.	After the source testing date	30	LECEF	
AQ	46	OP		AQ-34	The project owner shall properly install and maintain the cooling towers to minimize drift losses. The project owner shall equip the cooling towers with high efficiency mist eliminators with a maximum guaranteed drift rate of 0.0005%. The maximum total dissolved solids (TDS) measured at the base of the cooling towers or at the point of return to the wastewater facility shall not be higher than 6,000 ppmw (mg/l). The owner/operator shall sample and test the cooling tower water at least once per day to verify compliance with the TDS limit.	The project owner/operator shall verify compliance with this Condition of Certification in each quarterly report required by Condition of Certification AQ-34.			LECEF	
AQ	47	OP		AQ-34	The owner/operator shall perform a visual inspection of the cooling tower drift eliminators at least once per calendar year, and repair or replace any drift eliminator components which are broken or missing.	The project owner/operator shall verify compliance with this Condition of Certification in the fourth quarter report of each year required by Condition of Certification AQ-34.			LECEF	
AQ	47	PRE-OP		AQ-34	Prior to the initial operation of the combined-cycle Los Esteros Critical Energy Facility, the owner/operator shall have the cooling tower vendor's field representative inspect the cooling tower drift eliminators and certify that the installation was performed in accordance with the manufacturer's design and specifications.	The project owner/operator shall verify compliance with this Condition of Certification in the fourth quarter report of each year required by Condition of Certification AQ-34.	Prior to the initial operation of the combined-cycle facility		LECEF	
AQ	47	PRE-OP		AQ-34	Within 60 days of the initial operation of the cooling tower, the owner/operator shall perform an initial performance source test to determine the PM10 emission rate from the cooling tower to verify compliance with the vendor-guaranteed drift rate specified in AQ-46,	The project owner/operator shall verify compliance with this Condition of Certification in the fourth quarter report of each year required by Condition of Certification AQ-34.	After the initial operation of the cooling tower	60	LECEF	
BIOLOGICAL RESOURCES										
BIO	1	PC			Site and related facilities (including any access roads, transmission lines, water and gas lines, storage areas, staging areas, pulling sites, substations, wells, etc) mobilization activities for the combined cycle facility shall not begin until an Energy Commission CPM approved Designated Biologist or approved Biological Monitor(s) are available to be on-site.	At least 35 days prior to the start of any site and related facilities mobilization activities for the combined cycle facility, the project owner shall submit to the CPM for approval the name, qualifications, address, and telephone number of the individual selected by the project owner as the Designated Biologist.	Prior to the start of mobilization	35	LECEF	
BIO	2	CONS		MCR	The CPM approved Designated Biologist shall perform the requirements of BIO-2 during any site and related facilities mobilization, construction, and operation activities for the combined cycle facility	During site and related facilities mobilization and construction the Designated Biologist shall maintain written records of the tasks described in BIO-2, and summaries of these records shall be submitted along with the Monthly Compliance Reports to the CPM.			LECEF	
BIO	2	OP		ACR	The CPM approved Designated Biologist shall perform the requirements of BIO-2 during any site and related facilities mobilization, construction, and operation activities for the combined cycle facility	During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report.			LECEF	
BIO	3	CONS			The project owner's Construction/Operation Manager for the combined cycle facility shall act on the advice of the Designated Biologist and Biological Monitor(s) to ensure conformance with the Biological Resources Conditions of Certification.	Within 2 working days of a Designated Biologist or Biological Monitor(s) notification of non-compliance with a Biological Resources COC or a halt of construction or operation, the project owner shall notify the CPM by telephone of the circumstances and actions being taken to resolve the problem or the non-compliance with a condition.	After notification of non-compliance with a Biological Resources COC	2	LECEF	

BIO	3	OP			The project owner's Construction/Operation Manager for the combined cycle facility shall act on the advice of the Designated Biologist and Biological Monitor(s) to ensure conformance with the Biological Resources Conditions of Certification.	Within 2 working days of a Designated Biologist or Biological Monitor(s) notification of non-compliance with a Biological Resources COC or a halt of construction or operation, the project owner shall notify the CPM by telephone of the circumstances and actions being taken to resolve the problem or the non-compliance with a condition.	After notification of non-compliance with a Biological Resources COC	2	LECEF
BIO	4	PC			The project owner shall develop and implement a CPM approved Worker Environmental Awareness Program in which each of its employees, as well as employees of contractors and subcontractors who work on the project or related facilities during site mobilization, construction and operation of the combined cycle facility, are informed about sensitive biological resources associated with the project.	At least 30 days prior to the start of any site and related facilities mobilization, the project owner shall provide two copies of the WEAP and all supporting written materials and electronic media reviewed or prepared by the Designated Biologist and the name and qualifications of the person(s) administering the program to the CPM for approval.	Prior to the start of mobilization	30	LECEF
BIO	4	CONS		MCR		The project owner shall state in the Monthly Compliance Report the number of persons who have completed the training in the prior month and a running total of all persons who have completed the training to date.			LGC
BIO	4	OP				During project operation, signed statements for active project operational personnel shall be kept on file for six months, following the termination of an individual's employment.			LECEF
BIO	5	PC			Prior to start of any site or related facilities mobilization activities of the interior side of the levee, the project owner shall acquire a Streambed Alteration Agreement from the CDFG if required, or show CDFG correspondence that indicates no permit is required.	At least 30 days prior to the start of any site or related facilities mobilization activities on the interior side of the levee the project owner shall submit to the CPM a copy of the final CDFG Streambed Alteration Agreement or applicable CDFG correspondence.	Prior to the start of any mobilization activities on the interior side of the levee	30	LECEF
BIO	6	PC			The project owner will acquire and implement the terms and conditions of the Regional Water Quality Control Board Section 401 State Clean Water Act certification, if required.	No less than 30 days prior to the start of any site or related facilities mobilization activities on the interior side of the levee, the project owner will provide the CPM with a copy of the final RWQCB certification.	Prior to the start of any mobilization activities on the interior side of the levee	30	LECEF
BIO	7	PC			The project owner shall provide a final copy of the Section 404 permit, if required. The project owner will implement the terms and conditions contained in the permit.	No less than 30 days prior to the start of any site and related facilities mobilization of the interior side of the levee, the project owner shall submit to the CPM a copy of the permit required to fill on-site wetlands.	Prior to the start of any mobilization activities on the interior side of the levee	30	LECEF
BIO	8	PC			The project owner shall submit to the CPM for review and approval a copy of the final BRMIMP and shall implement the measures identified in the plan. Any changes to the adopted BRMIMP must be made by the Energy Commission staff, in consultation with the USFWS and CDFG.	At least 30 days prior to start of any site or related facility mobilization activities for the combined cycle facility, the project owner shall provide the CPM with 2 copies of the draft final version of the BRMIMP for this project, and provide copies to the USFWS and CDFG.	Prior to the start of mobilization	30	LECEF
BIO	8	PRE-OP				Within 30 days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written report identifying which items of the BRMIMP have been completed, a summary of all modifications to mitigation measures made during the project's construction phase, and which mitigation and monitoring plan items are still outstanding.	After completion of project construction	30	LECEF
BIO	9	OP			The project owner will incorporate into the planned permanent or unexpected permanent closure plan measures that address the local biological resources.	At least 12 months (or a mutually agreed upon time) prior to the commencement of closure activities construction, the project owner shall address all biological resources related issues associated with facility closure in a Biological Resources Element.	Prior to site closure	365	LECEF
BIO	10	PC			The project owner will implement the mitigation measures identified in BIO-10.	All mitigation measures and their implementation methods will be included in the BRMIMP. Two copies of the CPM approved BRMIMP must be provided to the CPM five days prior to site mobilization and copies provided to the USFWS and CDFG.	Prior to the start of mobilization	5	LECEF
BIO	11	PC			The applicant shall survey for burrowing owl activities on the 34 acre parcel and along all new ancillary linear facilities prior to site mobilization to assess owl presence and need for further mitigation.	Burrowing owl surveys shall be conducted 20 days prior to any project-related ground disturbance activities.	Prior to ground disturbance	20	LECEF
BIO	11	PC				At least 15 days prior to project related ground disturbance the project owner shall provide the CPM and CDFG with the burrowing owl survey results and identify any lands proposed for mitigation (if applicable). The land purchase shall be approved by the CPM and reviewed by CDFG.	Prior to ground disturbance	15	LECEF

BIO	12	PC			Prior to the start of any site mobilization for the simple-cycle facility, the project owner shall develop the Ordinance and Native Mature Tree Replacement Plan for inclusion into the BRMIMP.	At least 30 day prior to the start of any site and related facilities mobilization, the project owner shall provide to the CPM for review and approval, and to CDFG for review, a Ordinance and Native Mature Tree Replacement Plan as part of the BRMIMP.	Prior to the start of simple-cycle mobilization	30	LECEF
BIO	13	CONS			The project owner will acquire a City of San Jose permit to remove any remaining ordinance trees from the simple-cycle facility site.	The terms and conditions of the City of San Jose permit(s) will be incorporated into the project's BRMIMP and submitted at least 90 days prior to removal of any remaining ordinance trees	prior to removal of any remaining ordinance trees	90	LGC
BIO	14	CONS			After construction, the laydown area will be stripped of any armoring material, the surface scarified, and topsoil restored. Barley seed will be sowed as a temporary cover crop, but native seeds from the topsoil will be allowed to sprout and grow.	The applicant shall provide the revegetation plan in the BRMIMP and submit it within 60 days after the start of any site and related facilities mobilization.	After to the start of mobilization	60	LECEF
BIO	15	PC			Construction of the permanent outfall to Coyote Creek shall be scheduled to avoid critical seasons. Surveys by a qualified biologist will be conducted prior to any construction activities on the interior side of the levee to locate nests and other resources in/or adjacent to the stormwater right-of-way.	The applicant shall provide this measure as an amendment to the BRMIMP and as part of the roles for the Designated Biologist. Submittals of construction plans must occur 30 days prior to site mobilization on the interior side of the levee wall, but does not preclude the start of construction on the facility site.	Prior to the start of any mobilization activities on the interior side of the levee	30	LECEF
BIO	16	PC			To compensate for impacts to serpentine soils and associated endemic species, the project owner shall provide a minimum of 40 acres of land within a high priority (as defined by USFWS) or occupied USFWS Critical Habitat Unit, the name of the entity that will be managing the land in perpetuity, and the endowment funds in the amount determined suitable from the Center for Natural Lands PAR analysis to administer and manage in perpetuity.	Within one month of project certification of the simple-cycle facility, the project owner must provide to the CPM for approval, the name of the management entity, written verification that the compensation lands have been purchased and written verification that the appropriate endowment fund (determined by the PAR analysis) has been received by the approved management entity.	After project certification of the simple-cycle facility	30	LECEF
BIO	17	CONS			The applicant will complete a Landscaping Plan for review by the CPM. The project owner shall follow the approved Landscaping Plan during the lifetime of the power plant.	At least 45 days prior to LECEF landscape installation, a Landscaping Plan will be sent to the CPM. All mitigation measures and their implementation methods will be included in the BRMIMP.	Prior to LECEF landscape installation	45	LECEF
BIO	17	CONS				Two copies of the BRMIMP must be provided to the CPM and one copy each provided to both the USFWS and CDFG five days prior to landscape installation.	Prior to LECEF landscape installation	5	LECEF
BIO	18	ALL			The project owner shall provide a final copy of the Section 10 permit from the U.S. Fish and Wildlife Service (if required) to the CPM. The project owner will implement the terms and conditions contained in the permit and incorporate these into the BRMIMP.	The applicant shall provide the CPM with a status report of the Section 10 permit every six months beginning January 2006 until the permit is obtained or is no longer necessary. The status report shall include a table of milestones and the dates milestones were completed or are expected to be completed.			LECEF
BIO	18	ALL				No less than 30 days after receiving the permit (if required), the project owner shall provide two unbound copies of the Section 10 permit to the CPM.	After receiving the permit	30	LECEF
BIO	19	PC			The project owner shall create a Burrowing Owl Management Plan (Plan) and incorporate the provisions from the Plan into the BRMIMP for review by the CPM.	All mitigation measures and their implementation methods will be included in the BRMIMP.			LECEF
BIO	19	OP		ACR		The annual compliance report shall provide the CPM with the name and phone number of the landscape maintenance crew supervisor.			LECEF
BIO	20	CONS		MCR	During construction of the combined cycle facility, the project owner shall distribute flyers to project-construction employees informing them of the possible presence of burrowing owls near Thomas Foon Chew Way. The project owner shall highlight that the posted speed limit is 15 mpg along Thomas Foon Chew Way.	All mitigation measures and their implementation methods will be included in the BRMIMP. The monthly compliance report shall include the number of possible speed limit violations. The CPM reserves the right to inspect the primary access road for signs and to contact the construction manager to correct problems.			LECEF
BIO	21	PC			The project owner shall submit the resume and contact information of the proposed Biological Monitor(s) to the CPM for review.	The project owner shall submit the specified information to the CPM for review at least 30 days prior to the start of any site (or related facilities) mobilization.	Prior to the start of mobilization	30	LECEF
BIO	21	CONS		MCR		The Designated Biologist shall submit a written statement to the CPM confirming that individual Biological Monitor(s) have been trained including the date when training was completed as part of the MCR or annual reporting.			LECEF
BIO	21	CONS				If additional biological monitors are needed during construction the specified information shall be submitted to the CPM for review 10 days prior to their first day monitoring activities.	Prior to new monitor activities	10	LECEF
BIO	22	PC			The project owner must surrender to the BAAQMD a package of emission offsets which contain at least 27.945 tons per year nitrogen oxide.	At least 60 days prior to construction, the project owner/operator must surrender the ERC certificates and provide copies to the CPM. The total emission offsets that are nitrogen based must be clearly identified in the cover letter.	Prior to the start of construction	60	LECEF

CULTURAL RESOURCES

CUL	1	PC			Prior to the start of ground disturbance, the project owner shall provide the California Energy Commission Compliance Project Manager (CPM) with the name and resume of its Cultural Resources Specialist (CRS), and an alternate CRS, if an alternate is proposed, who will be responsible for implementation of all cultural resources conditions of certification.	At least 45 days prior to the start of ground disturbance, the project owner shall submit the name and statement of qualifications of its CRS and alternate CRS, if an alternate is proposed, to the CPM for review and approval.	Prior to the start of ground disturbance	45	LECEF
CUL	1	PC				At least 20 days prior to ground disturbance, the CRS shall provide a letter naming anticipated monitors for the project and stating that the identified monitors meet the minimum qualifications for cultural resource monitoring required by this condition.	Prior to the start of ground disturbance	20	LECEF
CUL	1	PC				At least 10 days, prior to the start of ground disturbance, the project owner shall confirm in writing to the CPM that the approved CRS will be available for onsite work and is prepared to implement the cultural resources conditions of certification.	Prior to the start of ground disturbance	10	LECEF
CUL	2	PC			Prior to the start of ground disturbance, the project owner shall provide the CRS and the CPM with maps and drawings showing the footprint of the power plant and all linear facilities.	At least forty days prior to the start of ground disturbance, the project owner shall provide the designated cultural resources specialist and the CPM with the maps and drawings.	Prior to the start of ground disturbance	40	LGC
CUL	2	PC			If construction of this project will proceed in phases, maps and drawings may be submitted in phases. A letter identifying the proposed schedule of each project phase shall be provided to the CPM and the CRS.	If this is to be a phased project, a letter identifying the proposed schedule of the ground disturbance or construction phases of the project shall also be submitted.			LGC
CUL	2	CONS			Prior to implementation of additional phases of the project, current maps and drawings shall be submitted to the CPM and the CRS.	At least 30 days prior to the start of ground disturbance on each phase of the project, following initial ground disturbance, copies of maps and drawings reflecting additional phases of the project, shall be provided to the CPM for review and approval.	Prior to the start of ground disturbance on each phase of the project	30	LGC
CUL	2	CONS		MCR	At a minimum, the CRS shall consult weekly with the project superintendent or construction field manager to confirm area(s) to be worked during the next week, until ground disturbance is completed. A current schedule of anticipated project activity shall be provide to the CRS on a weekly basis during ground disturbance and provided to the CPM in each Monthly Compliance Report (MCR).				LGC
CUL	2	CONS				If there are changes to the scheduling of the construction phases of the project, a letter shall be submitted to the CPM within 5 days of identifying the changes.	After identifying the changes	5	LGC
CUL	3	PC			Prior to the start of project construction-related vegetation clearance or earth disturbing activities or project site preparation; the designated cultural resources specialist shall prepare, and the project owner shall submit to the CPM for review and approval a Cultural Resources Monitoring and Mitigation Plan (CRMMP) identifying general and specific measures to minimize potential impacts to sensitive cultural resources has been approved by the CPM	At least 10 days prior to the start of project construction changes, related vegetation clearance or earth disturbing activities or project site preparation, the project owner shall provide to the CPM for review and approval an amendment to the Cultural Resources Monitoring and Mitigation Plan, prepared by the designated cultural resource specialist.	Prior to the start of project construction-related vegetation clearance or earth disturbing activities and site preparation	10	LECEF
CUL	4	PC			Worker Environmental Awareness Training for all new employees shall be conducted prior to and during periods of ground disturbance.	At least 30 days prior to ground disturbance, the project owner shall provide a letter to the CPM stating that employees will not begin work until they have completed environmental training and that a sticker on hard hats will identify workers who have received training.	Prior to the start of ground disturbance	30	LECEF
CUL	4	PC		MCR	Workers shall sign an acknowledgement form that they have received training and a sticker shall be placed on hard hats indicating that environmental training has been completed.	Copies of acknowledgement forms signed by trainees shall be provided in the MCR.			LGC
CUL	5	CONS			The project owner shall ensure that the CRS, alternate CRS, or monitors shall monitor ground disturbance full time in the vicinity of the project site, linears and ground disturbance at laydown areas to ensure there are no impacts to undiscovered resources.	During the ground disturbance phases of the project, if the CRS wishes to reduce the level of monitoring occurring at the project, a letter or e-mail identifying the area(s) where the CRS recommends the reduction and justifying the reductions in monitoring shall be submitted to the CPM for review and approval.			LECEF
CUL	5	CONS		MCR	Those individuals conducting cultural resources monitoring shall keep a daily log describing the construction activities, areas monitored, soils observed, and any cultural materials observed.	During the ground disturbance phases of the project, the project owner shall include in the MCR to the CPM copies of the daily cultural resource monitoring reports. Copies of daily logs shall be retained.			LECEF
CUL	5	CONS			The CRS shall notify the project owner and the CPM, by telephone or e-mail, of any incidents of non-compliance with any cultural resources conditions of certification within 24 hours of becoming aware of the situation.	Within 24 hours of recognition of a non-compliance issue, the CRS shall notify the CPM by telephone of the problem and of steps being taken to resolve the problem.	After recognition of a non-compliance issue	1	LECEF

CUL	5	CONS		MCR		In the event of a non-compliance issue, a report written no sooner than two weeks after resolution of the issue that describes the issue, resolution of the issue and the effectiveness or the resolution measures, shall be provided in the next MCR.	After non-compliance event	14	LECEF
CUL	5	CONS			A Native American monitor shall be obtained to monitor activities if Native American archeological materials are discovered. Informational lists of concerned Native Americans and Guidelines for monitoring shall be obtained from the Native American Heritage Commission.	When Native American archeological materials are discovered, the project owner shall send notification to the CPM identifying the person(s) retained to conduct Native American monitoring.			LECEF
CUL	6	PC			The designated cultural resource specialist or the specialist's delegated monitor(s) shall have the authority to halt or redirect construction if previously unknown cultural resource sites or materials are encountered during project construction-related vegetation clearance or earth disturbing activities or project site preparation or if known cultural resources will be affected in an unanticipated manner.	At least 30 days prior to the start of project construction-related vegetation clearance or earth disturbing activities and site preparation; the project owner shall provide the CPM with a letter confirming that the designated cultural resources specialist and delegated monitor(s) have the authority to halt construction activities in the vicinity of a cultural resource find. The project owner shall also provide to the CPM, for review and written approval, a set of work curtailment procedures to be followed in the event that previously unknown cultural resources are discovered during construction.	Prior to the start of project construction-related vegetation clearance or earth disturbing activities and site preparation	30	LECEF
CUL	6	CONS			If any cultural resources are encountered, the project owner shall notify the CPM within 24 hours.		After discovery	1	LECEF
CUL	7				DELETED		N/A	N/A	LECEF
CUL	8	CONS			The project owner shall ensure that the designated cultural resource specialist performs the testing, recovery, preparation for analysis, analysis, preparation for curation, and delivery for curation of cultural resource materials encountered and collected during pre-construction surveys, testing and during the monitoring, data recovery, mapping, and mitigation activities related to the project.	If archeological materials are found, the project owner shall maintain in its compliance files, copies of signed contracts or agreements with the museum(s), university(ies), or other appropriate research specialists. The project owner shall maintain these files for the life of the project and the files shall be kept available for periodic audit by the CPM. Information as to the specific location of sensitive cultural resource site shall be kept confidential and accessible only to qualified cultural resource specialists.			LECEF
CUL	9	CONS			After completion of the project, the project owner shall ensure that the CRS prepares a Cultural Resources Report (CRR) according to the Archaeological Resource Management Reports Guidelines as recommended by the California Office of Historic Preservation.	After completion of the project, the project owner shall ensure that the CRS completes the CRR within ninety days following completion of the analysis of the recovered cultural materials. Within seven days after completion of the report, the project owner shall submit the CRR to the CPM for review and approval.	After completion of the report	7	LECEF
CUL	9	CONS				Within 30 days after receiving approval of the CRR, the project owner shall provide to the CPM documentation that the report has been sent to the State Historic Preservation Officer and the appropriate archaeological information center(s).	After receiving approval of the CRR	30	LECEF
CUL	10	CONS			If significant cultural resource deposits are encountered through testing or project monitoring, the project owner shall ensure that all cultural resource materials, maps, and data collected during data recovery and mitigation for the project are delivered to a public repository that meets the US Secretary of Interior requirements for the curation of cultural resources following the filing of the CPM-approved CRR with the appropriate entities. The project owner shall pay any fees for curation required by the repository.	The project owner shall ensure that all significant recovered cultural resource materials and a copy of the CRR are delivered for curation. Significance will be determined after consultation with the CPM. The project owner shall provide a copy of the transmittal letter received from the curation facility and provide a copy to the CPM within thirty days after receipt.	After receipt	30	LECEF
CUL	10	CONS				For the life of the project, the project owner shall maintain in its compliance files copies of signed contracts or agreements with the public repository to which the project owner has delivered for curation all cultural resource materials collected during testing, data recovery and mitigation for the project.			LECEF
CUL	11	PC			Prior to any additional project-related activities which may result in ground disturbance, the project owner must ensure that the area(s) to be impacted have been subject to a cultural resource surveys for this project, if current (within 5 years) surveys for those areas do not already exist. If significant cultural resources will be affected then mitigation measures will be determined in consultation with the CPM.	The project owner shall provide the results of any additional cultural resource surveys and evaluations in the form of a technical report (with request for confidentiality if needed), along with any associated maps, to the CPM at least thirty (30) before any project-related construction is to take place. All required mitigation will be completed prior to construction.	Prior to the start of construction	30	LECEF

FACILITY DESIGN

GEN

GEN	1	PRE-OP	X		The project owner shall design, construct and inspect the project in accordance with the 2001 CBSC which and all other applicable engineering LORS in effect at the time initial design plans are submitted to the CBO for review and approval.	Within 30 days after receipt of the Certificate of Occupancy, the project owner shall submit to the Compliance Project Manager (CPM) a statement of verification, signed by the responsible design engineer, attesting that all designs, construction, installation and inspection requirements of the applicable LORS and the Energy Commission's Decision have been met in the area of facility design.	After receipt of Certificate of Occupancy	30	LGC
GEN	1	PRE-OP				The project owner shall provide the CPM a copy of the Certificate of Occupancy within 30 days of receipt from the CBO.	After receipt of Certificate of Occupancy	30	LGC
GEN	1	PC				Once the Certificate of Occupancy has been issued, the project owner shall inform the CPM at least 30 days prior to any construction, addition, alteration, moving, demolition, repair, or maintenance to be performed on any portion(s) of the completed facility which may require CBO approval for the purpose of complying with the above stated codes.	Prior to the start of construction	30	LECEF
GEN	2	PC	X		Prior to submittal of the initial engineering designs for CBO review, the project owner shall furnish to the CPM and to the CBO a preliminary schedule of facility design submittals, a Master Drawing List, and a Master Specifications List.	At least 30 days prior to the start of rough grading, the project owner shall submit to the CBO and to the CPM the preliminary schedule, the Master Drawing List, and the Master Specifications List of documents for major structures and equipment (see GEN-2, Table 1) to be submitted to the CBO for review and approval.	Prior to the start of rough grading	30	LGC
GEN	2	CONS		MCR		The project owner shall provide schedule updates in the Monthly Compliance Report.			LECEF
GEN	2	CONS	004		Construction QA/QC Manual		To The CBO on 8/12/11. Disposition received 9/13/11, response required. Revised doc sent to the CBO In 9/22/11		
GEN	2	CONS	051		Civil Specification		Three revised specs sent to the CBO on 8/5/11. Conditionally approved disposition received 8/24/11 for Earthwork. Response required disposition received 8/24/11 for cast-in-place concrete. Conditionally approved disposition received 8/24/11 for protective paint & coatings. 312000 Earthwork revised spec and disposition sent to the CBO on 9/19/11		LGC

GEN	2	CONS	051		Structural Specification		To CBO on 6/20. New spec. sent 7/6/11 and 7/9/11. 4 new specs sent 7/13/11. 3 revised specs sent 7/21/11. 2 revised specs sent 7/29/11. Revised spec and disposition response sent to the CBO on 8/25/11. Sent revised cast-in-place spec to the CBO on 9/6/11 and 9/20/11. Disposition received 9/21/11, approved		LGC
GEN	2	CONS	51		Mechanical Specification		Conditional approval 8/16/11. New spec sent to the CBO on 9/2/11. Approved disposition received 9/21/11		
GEN	2	CONS	51		Welding Procedure Specifications		Conditional approval 8/16/11		
GEN	2	CONS	51		Architectural Specifications		To the CBO on 7/22/11		
GEN	2	CONS	51		Electrical Specifications		To the CBO on 9/2/11. Disposition received 9/8/11, response required		
GEN	2	CONS	050		Calpine Vendor Master Document List	CH2M HILL approved disposition received 8/2/11	Approved disposition received 7/7/11	Priority	LGC
GEN	2	CONS	1200		SMP Sampling Plan		Disposition received 8/1/11, information only		
GEN	3	CONS		MCR	The project owner shall make payments to the CBO for design review, plan check and construction inspection based upon a reasonable fee schedule to be negotiated between the project owner and the CBO.	The project owner shall send a copy of the CBO's receipt of payment to the CPM in the next Monthly Compliance Report indicating that the applicable fees have been paid.			LECEF
GEN	4	PC	X		The project owner shall assign a California registered architect, structural engineer or civil engineer, as a Resident Engineer (RE), to be in general responsible charge of the project.	At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, the name, qualifications and registration number of the RE and any other delegated engineers assigned to the project.	Prior to the start of rough grading	30	LGC
GEN	4	PC				The project owner shall notify the CPM of the CBO's approvals of the RE and other delegated engineer(s) within five days of the approval.	After CBO approval	5	LECEF
GEN	4	CONS	1		Resident Engineer		CBO approved 6/30/11. Resume and letter sent to the CBO on 8/25/11. Approved disposition received 8/31/11. Sent Douglas Brown resume to the CBO on 9/21/11		LGC
GEN	4	CONS				If the RE or delegated engineer(s) are subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications, and registration number of the newly assigned engineer to the CBO for review and approval.	After reassignment or replacement	5	LGC
GEN	5		2		Responsible Engineers CA PE's		To the CBO on 9/26/11		

GEN	5	PC	X		Prior to the start of rough grading, the project owner shall assign at least one of each of the following California registered engineers to the project: A) a civil engineer; B) a soils engineer, or a geotechnical engineer or a civil engineer experienced and knowledgeable in the practice of soils engineering; C) an engineering geologist.	At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, resumes and registration numbers of the responsible civil engineer, soils (geotechnical) engineer and engineering geologists assigned to the project.	Prior to the start of rough grading	30	LGC
GEN	5	PC	X		Prior to the start of construction, the project owner shall assign at least one of each of the following California registered engineers to the project: D) a design engineer, who is either a structural engineer or a civil engineer fully competent and proficient in the design of power plant structures and equipment supports; E) a mechanical engineer; and F) an electrical engineer.	At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of construction, the project owner shall submit to the CBO for review and approval, resumes and registration numbers of the responsible design engineer, mechanical engineer and electrical engineer assigned to the project.	Prior to the start of construction	30	LGC
GEN	5	PC				The project owner shall notify the CPM of the CBO's approvals of the responsible engineers within five days of the approval.	After CBO approval	5	LECEF
GEN	5	CONS				If the designated responsible engineer is subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications, and registration number of the newly assigned engineer to the CBO for review and approval.	After reassignment or replacement	5	LGC
GEN	6	CONS	X		Prior to the start of an activity requiring special inspection, the project owner shall assign to the project, qualified and certified special inspector(s) who shall be responsible for the special inspections required by the 2001 CBC, Chapter 17 [Section 1701, Special Inspections; Section, 1701.5 Type of Work (requiring special inspection)]; and Section 106.3.5, Inspection and observation program. Weld inspectors shall be certified by the American Welding Society and/or the American Society of Mechanical Engineers	At least 15 days (or project owner and CBO approved alternative timeframe) prior to the start of an activity requiring special inspection, the project owner shall submit to the CBO for review and approval, with a copy to the CPM, the name(s) and qualifications of the certified weld inspector(s), or other certified special inspector(s) assigned to the project to perform one or more of the duties set forth above.	Prior to start of activity requiring special inspection	15	LGC
GEN	6	CONS		MCR		The project owner shall also submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors in the next Monthly Compliance Report.			LECEF
GEN	6	CONS				If the special inspector is subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications, and registration number of the newly assigned engineer to the CBO for review and approval.	After reassignment or replacement	5	LGC
GEN	6	CONS	052		Special Inspector	Matrix and resumes for Alberto Cortez, Staff Engineer; Arthur R. Williams, Assistant Construction Services Manager; Jimmie Miller, Special Inspector; Gary Klopson, Special Inspector; John Oliveira, Field Supervisor; Gabriel Velasquez, Senior Field Supervisory Technician. Certs for Akins, Klopson, Mossman, Tyler Deeds, revised matrix	Approved 8/16/11		LGC
GEN	6	CONS	52		Special Inspector		To the CBO on 7/28/11. Approved disposition received 9/7/11		
GEN	6	CONS	52		Special Inspector	Sean Fuller			
GEN	6	CONS	52		Special Inspector	Cesar Ramirez, Dennis Haney, Howard Chippero, Jeffrey Flint, Kenny Dominguez, Michael Bell, Robert Bigford	To the CBO on 8/1/11, approved		

GEN	6	CONS	52		Special Inspector		To the CBO on 9/22/11			
						Denise Corkill, updated matrix				
GEN	7	CONS	X	MCR	If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, the project owner shall document the discrepancy and recommend the corrective action required. The discrepancy documentation shall be submitted to the CBO for review and approval.	The project owner shall transmit a copy of the CBO's approval of any corrective action taken to resolve a discrepancy to the CPM in the next Monthly Compliance Report.			LGC	
GEN	7	CONS				If any corrective action is disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval and the revised corrective action to obtain CBO's approval.	After receipt of disapproval	5	LGC	
GEN	8	CONS	X	MCR	The project owner shall obtain the CBO's final approval of all completed work that has undergone CBO design review and approval. The project owner shall request the CBO to inspect the completed structure and review the submitted documents. The project owner shall notify the CPM after obtaining the CBO's final approval.	Within 15 days of the completion of any work, the project owner shall submit to the CBO, with a copy to the CPM, in the next Monthly Compliance Report, (a) a written notice that the completed work is ready for final inspection, and (b) a signed statement that the work conforms to the final approved plans.	After completion of work	15	LGC	
GEN	8	CONS				After storing final approved engineering plans, specifications and calculations as described above, the project owner shall submit to the CPM a letter stating that the above documents have been stored and indicate the storage location of such documents.			LGC	
CIVIL										
CIVIL	1	PC	X		The project owner shall submit to the CBO for review and approval the following: 1. Design of the proposed drainage structures and the grading plan; 2. An erosion and sedimentation control plan; 3. Related calculations and specifications, signed and stamped by the responsible civil engineer; and 4. Soils Report, Geotechnical Report of Foundation Investigations Report required by the 2001 CBC.	At least 15 days (or project owner and CBO approved alternative timeframe) prior to the start of site grading, the project owner shall submit the documents described above to the CBO for review and approval.	Prior to start of site grading	15	LGC	
CIVIL	1	CONS		MCR		In the next Monthly Compliance Report following the CBO's approval, the project owner shall submit a written statement certifying that the documents have been approved by the CBO.			LGC	
CIVIL	1	CONS	100		Soil Backfill Inspection Report		to CBO on 7/20/11			
CIVIL	1	CONS	102		Drainage and grading, Rev 4		CBO approved 6/23		LGC	
CIVIL	1	CONS	104		Dewatering Plan		CBO approved 6/15		LGC	
CIVIL	1	CONS	304		Revised Submittal Utility Reroute Plan		to CBO on 6/21		LGC	
CIVIL	2	CONS	x		The resident engineer shall, if appropriate, stop all earthwork and construction in the affected areas when the responsible soils engineer, geotechnical engineer, or civil engineer experienced and knowledgeable in the practice of soils engineering identifies unforeseen adverse soil or geologic conditions. The project owner shall submit modified plans, specifications and calculations to the CBO based on these new conditions.	The project owner shall notify the CPM within 24 hours, when earthwork and construction is stopped as a result of unforeseen adverse geologic/soil conditions.	Upon discovery	1	LGC	
CIVIL	2	CONS			The project owner shall obtain approval from the CBO before resuming earthwork and construction in the affected area.	Within 24 hours of the CBO's approval to resume earthwork and construction in the affected areas, the project owner shall provide to the CPM a copy of the CBO's approval.	After CBO approval	1	LGC	

CIVIL	3	CONS	x		The project owner shall perform inspections in accordance with the 2001 CBC. All plant site-grading operations shall be subject to inspection by the CBO and the CPM. If, in the course of inspection, it is discovered that the work is not being done in accordance with the approved plans, the discrepancies shall be reported immediately to the resident engineer, the CBO, and the CPM	Within five days of the discovery of any discrepancies, the resident engineer shall transmit to the CBO and the CPM a Non-Conformance Report (NCR), and the proposed corrective action for review and approval.	Upon discovery	5	LGC	
CIVIL	3	CONS	x		The project owner shall prepare a written report, with copies to the CBO and the CPM, detailing all discrepancies, noncompliance items, and the proposed corrective action.	Within five days of resolution of the NCR, the project owner shall submit the details of the corrective action to the CBO and the CPM.	After resolution	5	LGC	
CIVIL	3	CONS		MCR		A list of NCRs, for the reporting month, shall be included in the following Monthly Compliance Report.			LGC	
CIVIL	3		103		Soil and Waster test results		For Record from CBO		LGC	
CIVIL	4	CONS	x		After completion of finished grading and erosion and sedimentation control and drainage work, the project owner shall obtain the CBO's approval of the final grading plans (including final changes), for the erosion and sedimentation control work.	Within 30 days (or project owner and CBO approved alternative timeframe) of the completion of the erosion and sediment control mitigation and drainage work, the project owner shall submit to the CBO, for review and approval, the final grading plans (including final changes) and the responsible civil engineer's signed statement that the installation of the facilities and all erosion control measures were completed in accordance with the final approved combined grading plans, and that the facilities are adequate for their intended purposes.	After completion	30	LGC	
CIVIL	4	CONS		MCR		The project owner shall submit a copy of the CBO's approval to the CPM in the next Monthly Compliance Report.			LGC	
STRUC										
STRUC	1	CONS	x		The project owner shall submit to the CBO for design review and approval the proposed lateral force procedures for project structures and the applicable designs, plans and drawings for project structures. Construction of any structure or component shall not commence until the CBO has approved the lateral force procedures.	At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of construction of any structure or component listed in Facility Design Table 1 of Condition of Certification GEN-2, the project owner shall submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM.	Prior to the start of any increment of construction of any structure	30	LGC	
STRUC	1	CONS		MCR		The project owner shall submit to the CPM, in the next Monthly Compliance Report a copy of a statement from the CBO that the proposed structural plans, specifications, and calculations have been approved and are in compliance with the requirements set forth in the applicable engineering LORS.			LGC	
STRUC	1	CONS	206		Standard Notes and Details		To CBO on 6/8		LGC	
STRUC	1	CONS	203		STG Foundation & Calculations		Approved disposition received 7/12/11. One document to the CBO on 9/9/11. One revised drawing sent to the CBO on 9/26/11			

STRUC	1	CONS	202		HRSR Foundation & Calculations		Revised documents sent to the CBO on 7/29/11 and 8/3/11. Approved disposition received 8/10/11. One revised sent to the CBO on 8/11/11. Approved with note disposition received 8/24/11. New documents sent to the CBO on 9/7/11		LGC
STRUC	1	CONS	201		HRSR Foundation Load Study		Retroactively approved disposition received 7/27/11. New sent to the CBO on 8/3/11. Approved with note disposition received 8/23/11		
STRUC	1	CONS	205		Cooling Tower		Response required from CBO 5/27. 20 revised docs and disposition response to the CBO on 8/18/11. Two docs sent to the CBO on 9/14/11		LGC
STRUC	1	CONS	206		Drainage and Grading		Approved by CBO 6/20		
STRUC	1	CONS	209		Temporary Supports		Approved disposition 7/12/11		CBO
STRUC	1	CONS	209		Inspection Report for CW Pipe Phase 2		Sent to the CBO on 7/6/11		CBO
STRUC	1	CONS	214		GSU Foundation Design Drawings & Calculations		Sent to the CBO on 8/26/11. Disposition received 9/22/11, response required		
STRUC	1	CONS	800		Warehouse		To the CBO on 8/3/11		CBO

STRUC	1	CONS	901		Temp Trailer and Decking		Revised drawing sent to the CBO on 6/29/11. Meeting room and revised layout site plan sent 7/18/11. Approved disposition received 7/18/11. New drawing sent 7/21/11. Disposition received 8/3/11, response required. Revised alternate meeting room & trailer layout plan sent to the CBO on 8/10/11. Calpine letter to the CBO 8/18/11. Approved disposition received 9/7/11		CBO
STRUC	1	CONS	204		Cooling Tower Foundation & Calculations		Disposition received 7/12/11, response required. Approved disposition received 7/12/11 for LE-CTW-DE-S7-0160, Sheet 1, Rev. 2 only. Disposition response & 4 revised drawings sent to the CBO on 7/26/11. Three revised drawings sent to the CBO on 8/11/11. Response required disposition received 8/24/11. Four revised drawings and disposition response sent to the CBO on 8/30/11. Approved disposition received 9/6/11 for all documents. One revised drawing sent to the CBO on 9/26/11		CBO
STRUC	1	CONS	210		Concrete Mix design		CBO Info Only 6/13. One document sent to the CBO on 8/25/11. Disposition received 9/1/11, response required		

STRUC	1	CONS	211		STG Documents		CBO Response Required received 6/22. Disposition response and one revised calc sent 7/22/11. (Brooks-Ransom Structural Calcs): Disposition received 8/1/11, partial approval		LGC
STRUC	1	CONS	212		Pad Support Arrangement & Calculations		Disposition received 8/17/11, response required		
STRUC	1	CONS	213		HRSR ASME Calculations		Disposition received 8/17/11, response required. Disposition response and revised calcs sent to the CBO on 9/22/11		
STRUC	1	CONS	216		Oil Water Separator/Cooling Water Heat Exchanger Foundation Designs		To the CBO on 9/7/11 and 9/9/11		
STRUC	2	CONS	x		The project owner shall submit to the CBO the following documents related to work that has undergone CBO design review and approval: 1. Concrete cylinder strength test reports 2. Concrete pour sign-off sheets; 3. Bolt torque inspection reports 4. Field weld inspection reports; and 5. Reports covering other structural activities requiring special inspections shall be in accordance with the 2001 CBC	If a discrepancy is discovered in any of the STRUC-2 data, the project owner shall, within five days, prepare and submit an NCR describing the nature of the discrepancies and the proposed corrective action to the CBO, with a copy of the transmittal letter to the CPM.	Upon discovery	5	LGC
STRUC	2	CONS	x			Within five days of resolution of the NCR, the project owner shall submit a copy of the corrective action to the CBO and the CPM.	After receipt	5	LGC
STRUC	2	CONS				The project owner shall transmit a copy of the CBO's approval or disapproval of the corrective action to the CPM within 15 days.	After CBO action	5	LGC
STRUC	3	CONS	x		The project owner shall submit to the CBO design changes to the final plans required by the 2001 CBC, and 2001 CBC Information on plans and specifications, including the revised drawings, specifications, calculations, and a complete description of, and supporting rationale for, the proposed changes, and shall give the CBO prior notice of the intended filing	On a schedule suitable to the CBO, the project owner shall notify the CBO of the intended filing of design changes, and shall submit the required number of sets of revised drawings and the required number of copies of the other above-mentioned documents to the CBO, with a copy of the transmittal letter to the CPM.	As required by the CBO		LGC
STRUC	3	CONS		MCR		The project owner shall notify the CPM, via the Monthly Compliance Report, when the CBO has approved the revised plans.			LGC

STRUC	4	CONS	x		Tanks and vessels containing quantities of toxic or hazardous materials exceeding amounts specified in Chapter 3, Table 3-E of the 2001 CBC shall, at a minimum, be designed to comply with the requirements of that Chapter.	At least 30 days (or project owner and CBO approved alternate timeframe) prior to the start of installation of the tanks or vessels containing the above specified quantities of toxic or hazardous materials, the project owner shall submit to the CBO for design review and approval final design plans, specifications, and calculations, including a copy of the signed and stamped engineer's certification.	Prior to the installation of tanks/vessels	30	LGC
STRUC	4	CONS		MCR		The project owner shall send copies of the CBO approvals of plan checks to the CPM in the following Monthly Compliance Report. The project owner shall also transmit a copy of the CBO's inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection			LGC
MECH									
MECH	1	CONS	x		The project owner shall submit, for CBO design review and approval, the proposed final design, specifications and calculations for each plant major piping and plumbing system listed in Facility Design Table 1, Condition of Certification GEN 2. The submittal shall also include applicable QA/QC procedures.	At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of major piping or plumbing construction listed in Facility Design Table 1, Condition of Certification GEN-2, the project owner shall submit to the CBO for design review and approval the final plans, specifications and calculations, including a copy of the signed and stamped statement for the responsible mechanical engineer certifying compliance with the applicable LORS.	Prior to the start of any increment of major piping or plumbing construction	30	LGC
MECH	1	CONS		MCR		Send the CPM a copy of the transmittal letter in the next Monthly Compliance Report			LECEF
MECH	1	CONS	x	MCR	Upon completion of construction of any such major piping or plumbing system, the project owner shall request the CBO's inspection approval of said construction.	The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's inspection approvals.			LECEF
MECH	1		300		Circulating Water System		Revised spec sent to the CBO on 7/1/11. 32 revised specs sent to the CBO on 7/29/11. Revised drawing sent to the CBO on 8/23/11		LGC
MECH	1		302		P&IDs		Conditionally approved by CBO 6/27. 22 revised drawings sent to the CBO on 8/15/11. Revised drawing sent to the CBO on 8/23/11		LGC
MECH	1		304		Revised Submittal Utility Reroute Plan		Approved with Note by COB 6/30. One revised drawing sent to the CBO on 9/22/11		LGC
MECH	1		304		UG Piping		To the CBO on 9/23/11		
MECH	1		305		Piping Stress Analysis Criteria, Piping Analysis Calculations		To the CBO on 8/26/11		
MECH	1		306		Modular Fabrication		To the CBO on 9/9/11		
MECH	1		307		Platform Fabricator		To the CBO on 9/9/11		

MECH	1		308		Repair Procedures		To the CBO on 9/16/11		
MECH	1		1000		FREP		To the CBO on 7/12/11. Disposition received 8/31/11, review stopped		
MECH	1		1003		UG Fire Protection Test Package		To the CBO on 9/26/11		
MECH	2	CONS	x		For all pressure vessels installed in the plant, the project owner shall submit to the CBO and Cal-OSHA, prior to operation, the code certification papers and other documents required by the applicable LORS.	At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of on-site fabrication or installation of any pressure vessel, the project owner shall submit to the CBO for review and approval, the documents listed in MECH-2 including a copy of the signed and stamped engineer's certification, with a copy of the transmittal letter to the CPM	Prior to the start of on-site fabrication or installation of any pressure vessel	30	LGC
MECH	2	CONS	x	MCR	Upon completion of the installation of any pressure vessel, the project owner shall request the appropriate CBO and/or Cal-OSHA inspection of said installation.	The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's and/or Cal-OSHA inspection approvals.			LGC
MECH	3	CONS	x		The project owner shall submit to the CBO for design review and approval the design plans, specifications, calculations and quality control procedures for any heating, ventilating, air conditioning (HVAC) or refrigeration system. Packaged HVAC systems, shall be identified with the appropriate manufacturer's data sheets.	At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of construction of any HVAC or refrigeration system, the project owner shall submit to the CBO the required HVAC and refrigeration calculations, plans and specifications, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with the CBC and other applicable codes with a copy of the transmittal letter to the CPM.	Prior to the start of construction of any HVAC or refrigeration system	30	LGC
MECH	3	CONS	x		Upon completion of any increment of construction, the project owner shall request the CBO's inspection and approval of said construction.				LGC
ELEC									
ELEC	1	CONS	X		Prior to the start of any increment of electrical construction for electrical equipment and systems 480 volts and higher, listed below, with the exception of underground duct work and any physical layout drawings and drawings not related to code compliance and life safety, the project owner shall submit, for CBO design review and approval, the proposed final design, specifications and calculations	At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of each increment of electrical construction, the project owner shall submit to the CBO for design review and approval of the above listed documents.	Prior to start of each increment of electrical construction	30	LGC
ELEC	1	CONS	X		The project owner shall request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS				LGC
ELEC	1	CONS		MCR		The project owner shall include in this submittal a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.			LECEF
ELEC	1	CONS	401		Grounding and Grounding Plans		To the CBO on 9/2/11. Disposition received 9/8/11, response required. 9 documents sent to the CBO on 9/19/11. Approved disposition received 9/22/11 for docs sent on 9/19/11		
ELEC	1	CONS	451		UG Duct Banks		To the CBO on 9/23/11		

ELEC	1	CONS	902		Temporary Trailer Utilities		To the CBO on 8/2/11 and 8/29/11. Disposition received 9/8/11, response required		
GENERAL CONDITIONS									
COM	1	ALL			Unrestricted Access	The project owner shall grant Energy Commission staff and delegate agencies or consultants unrestricted access to the power plant site.			LECEF
COM	2	ALL			Compliance Record	The project owner shall maintain project files onsite. Energy Commission staff and delegate agencies shall be given unrestricted access to the files. The files shall contain copies of all "asbuilt" drawings, all documents submitted as verification for conditions, and all other project-related documents.			LECEF
COM	3	ALL			Compliance Verification Submittals	The project owner is responsible for the delivery and content of all verification submittals to the CPM, whether the condition was satisfied by work performed by the project owner or his agent. Cover letters consistent with the COM-3 are required for all compliance submittals.			LECEF
COM	4	PC			Pre-construction Matrix, Tasks Prior to Start of Construction, and Compliance Reporting	Prior to commencing construction a compliance matrix addressing only those conditions that must be fulfilled before the start of construction shall be submitted by the project owner to the CPM. This matrix will be included with the project owner's first compliance submittal, and shall be submitted prior to the first preconstruction meeting, if one is held. It will be in the same format as the compliance matrix referenced below. Construction shall not commence until the pre-construction matrix is submitted, all pre-construction conditions have been complied with, and the CPM has issued a letter to the project owner authorizing construction.	Prior to first preconstruction meeting		LECEF
COM	4	PC			Employee Orientation	Environmental awareness orientation and training will be developed for presentation to new employees during project construction as approved by Energy Commission staff and described in the conditions for Biological, Cultural, and Paleontological resources. At the time this training is presented, the project owner's representative shall present information about the role of the Energy Commission's delegate Chief Building Official (CBO) for the project. The role and responsibilities of the CBO to enforce relevant portions of the Energy Commission Decision, the CBSC, and other relevant building and health and safety requirements shall be briefly presented. As part of that presentation, new employees shall be advised of the CBO's authority to halt project construction activities, either partially or totally, or take other corrective measures, as appropriate, if the CBO deems that such action is required to ensure compliance with the Energy Commission Decision, the CBSC, and other relevant building and health and safety requirements.	Prior to the start of construction	30	LECEF
COM	5	ALL			Compliance Matrix	The project owner shall submit a compliance matrix (in a spreadsheet format) with each monthly and annual compliance report which includes the status of all compliance conditions of certification.			LECEF
COM	6	CONS		MCR	Monthly Compliance Report	During construction, the project owner shall submit Monthly Compliance Reports (MCRs) which include specific information. The first MCR is due the month following the Commission business meeting date on which the project was approved and shall include an initial list of dates for each of the events identified on the Key Events List found in the CEC decision for Phase 2, page 60.			LECEF
COM	7	OP		ACR	Annual Compliance Report	After construction ends and throughout the life of the project, the project owner shall submit Annual Compliance Reports instead of Monthly Compliance Reports.			LECEF
COM	8	PC			Construction and Operation Security Plan	At least 14 days prior to commencing construction, the project owner shall submit a Security Plan for the construction phase	Prior to the start of construction	14	LGC
COM	8	CONS			Construction and Operation Security Plan	At least 30 days prior to the initial receipt of hazardous material on site, the project owner shall submit a Security Plan & Vulnerability Assessment for the operational phase.	Prior to receipt of hazardous materials	30	LGC

COM	9	ALL			Confidential Information	Any information the project owner deems confidential shall be submitted to the Dockets Unit with an application for confidentiality.			LECEF
COM	10	PC			Department of Fish and Game Filing Fee	The project owner shall pay a filing fee of \$850 at the time of project certification.	At the time of certification	1	LECEF
COM	11	PC			Reporting of Complaints, Notices, and Citations	Prior to the start of construction, the project owner must send a letter to property owners living within one mile of the project notifying them of a telephone number to contact project representatives with questions, complaints or concerns.	Prior to the start of construction		LECEF
COM	11	OP			Reporting of Complaints, Notices, and Citations	The telephone number shall be posted at the project site and made easily visible to passersby during operation. The telephone number shall be provided to the CPM who will post it on the Energy Commission's web page. Any changes to the telephone number shall be submitted immediately to the CPM who will update the web page.			LECEF
COM	11	ALL			Reporting of Complaints, Notices, and Citations	Within 10 days of receipt, the project owner shall report to the CPM, all notices, complaints, and citations.	After receipt	10	LECEF
COM	12	OP			Planned Closure	The project owner shall submit a closure plan to the CPM at least twelve months prior to commencement of a planned closure.	Prior to site closure	365	LECEF
COM	13	PRE-OP			Unplanned Temporary Closure/On-Site Contingency Plan	The project owner shall resubmit an on-site contingency plan for CPM review and approval. The plan shall be submitted within 60 days (or other time agreed to by the CPM) after certification. The approved plan must be in place within 120 days after recertification of project operation of the facility and shall be kept at the site at all times.	After certification	60	LECEF
COM	14	PRE-OP			Unplanned Permanent Closure/On-Site Contingency Plan	A closure plan, consistent with the requirements for a planned closure, shall be developed and submitted to the CPM within 90 days of the permanent closure or another period of time agreed to by the CPM.	After permanent facility closure	90	LECEF
HAZARDOUS MATERIALS MANAGEMENT									
HAZ	1	OP		ACR	The project owner shall not use any hazardous material in any quantity or strength not listed in Appendix B (AFC Tables 8.5-2 and 8.5.5) appended to the end of these Conditions unless approved in advance by the CPM.	The project owner shall provide to the CPM in the Annual Compliance Report, a list of all hazardous materials used and stored at the facility.			LECEF
HAZ	2	PC			The project owner shall provide an updated RMP, if required by regulation, and an updated HMBP, which shall include the building chemical inventory as per the AFC, to Santa Clara County and the CPM for review at the time the RMP plan is first submitted to the EPA, if required. The project owner shall include all recommendations of Santa Clara County and the CPM in final documents. Final plans shall be provided to the City of San Jose and the CPM.	At least 30 days prior to the commencement of construction of Phase 2, the project owner shall provide the final RMP and HMBP plans described above to the CPM for approval.	Prior to the start of construction	30	LECEF
HAZ	3	PRE-OP			The project owner shall update the Safety Management Plan for delivery of aqueous ammonia and sodium hypochlorite associated with Phase 2 and shall submit this plan to the CPM for approval.	At least 60 days prior to the delivery to the facility of aqueous ammonia and sodium hypochlorite, which are specified for use in Phase 2 operations, the project owner shall provide the Safety Management Plan to the CPM for review and approval.	Prior to the delivery	60	LECEF
HAZ	4	PRE-OP			The aqueous ammonia storage facility shall be designed to both the ASME Pressure Vessel Code and ANSI K61.6, or to API 620. In either case, the storage tank(s) shall be protected by a secondary containment basin capable of holding 110% of the primary container if a single container is used, or in the case of multiple containers, 150% of the volume of the largest container.	At least 60 days prior to delivery of aqueous ammonia to the facility that is specified for use in Phase 2 operations, the project owner shall submit final design drawings and specifications for the ammonia storage tank and secondary containment basin to the CPM for review and approval.	Prior to the delivery	60	LGC
HAZ	5	PRE-OP			The project owner shall direct all vendors delivering aqueous ammonia to the site to use only transport vehicles that meet or exceed the specifications of DOT Code MC-307.	At least 60 days prior to receipt of aqueous ammonia on-site, the project owner shall submit copies of the notification letter to supply vendors indicating the transport vehicle specifications to the CPM for review and approval.	Prior to the delivery	60	LECEF
HAZ	6	PRE-OP			The project owner shall ensure that no combustible or flammable material is stored within 100 feet of the sulfuric acid tank.	At least 30 days prior to receipt of sulfuric acid on-site, the Project Owner shall provide to the CPM for review and approval copies of the facility design drawings showing the location of the sulfuric acid storage tank and the location of any tanks, drums, or piping containing any combustible or flammable material and the route by which such materials will be transported through the facility.	Prior to receipt of sulfuric acid	30	LGC

HAZ	7	PRE-OP			The project owner shall direct all vendors delivering any hazardous material to the site to use only the route approved by the CPM (SR237 to Zanker Road to the facility) consistent with Condition TRANS-3.	At least 60 days prior to receipt of any hazardous materials onsite, the project owner shall submit to the CPM for review and approval, a copy of the letter to be mailed to the vendors. The letter shall state the required transportation route limitation.	Prior to receipt of any hazardous materials	60	LGC
HAZ	8	CONS			The project owner shall require that the gas pipeline undergo a complete design review and detailed inspection 30 years after initial startup and each 5 years thereafter.	At least 30 days prior to the initial flow of gas in the pipeline, the project owner shall provide an outline of the plan to accomplish a full and comprehensive pipeline design review to the CPM for review and approval. The full and complete plan shall be amended, as appropriate, and submitted to the CPM for review and approval, not later than one year before the plan is implemented by the project owner.	Prior to the initial flow of gas	30	LECEF
HAZ	8	OP				For subsequent inspections, the project owner shall provide to the CPM for review and approval any plan amendments, or a letter indicating there are none, at least one year before implementing the subsequent inspections.	Prior to subsequent inspections	365	LECEF
HAZ	9	OP			After any significant seismic event in the area where surface rupture occurs within one mile of the pipeline, the gas pipeline shall be inspected by the project owner.	At least 30 days prior to the initial flow of gas in the pipeline, the project owner shall provide to the CPM a detailed plan to accomplish a full and comprehensive pipeline inspection in the event of an earthquake for review and approval.	Prior to the initial flow of gas	30	LECEF
HAZ	9	OP				The plan shall be amended, as appropriate, and submitted to the CPM for review and approval, at least every five years.	After flow of gas	5 yrs	LECEF
HAZ	10	CONS			The natural gas pipeline shall be designed to meet CPUC General Order 112-D&E and 58 A standards, or any successor standards, and will be designed to meet Class III service. The pipeline will be designed to withstand seismic stresses and will be leak surveyed annually for leakage.	Prior to the introduction of natural gas into the pipeline, the project owner shall submit design and operation specifications of the pipelines to the CPM for review and approval.	Prior to the initial flow of gas		LECEF
LAND USE									
LAND	1	ALL			To help maintain public access and recreation adjacent to the project site, the project owner shall fund an endowment through a one-time payment of up to \$23,000, as determined by the CPM, to be used for the repair of the paved bikeway immediately adjacent to Highway 237, between Zanker Road and Coyote Creek ("Bikeway").	The project owner shall transmit the funds requested by the CPM within 90 days following receipt of the request and forward a copy of the transmittal letter to the CPM.	Following receipt of the request	90	LECEF
NOISE AND VIBRATION									
NOISE	1	PC			At least 15 days prior to the start of ground disturbance, the project owner shall notify all residents within one-half mile of the site, by mail or other effective means, of the commencement of project construction. At the same time, the project owner shall establish a telephone number for use by the public to report any undesirable noise conditions associated with the construction and operation of the project.	Prior to ground disturbance, the project owner shall transmit to the CPM a statement, signed by the project manager, stating that the above notification has been performed, and describing the method of that notification, verifying that the telephone number has been established and posted at the site, and giving that telephone number.	Prior to ground disturbance		LECEF
NOISE	2	CONS			Throughout the construction and operation of the project, the project owner shall document, investigate, evaluate, and attempt to resolve all project-related noise complaints as outlined by NOISE-2.	Within 10 days of receiving a noise complaint, the project owner shall file a copy of the Noise Complaint Resolution Form with the local jurisdiction and the CPM, documenting the resolution of the complaint.	After receiving a noise complaint	10	LECEF
NOISE	2	OP			Throughout the construction and operation of the project, the project owner shall document, investigate, evaluate, and attempt to resolve all project-related noise complaints as outlined by NOISE-2.	If mitigation is required to resolve a complaint, and the complaint is not resolved within a 3-day period, the project owner shall submit an updated Noise Complaint Resolution Form when the mitigation is implemented.	When mitigation is implemented		LECEF
NOISE	3	PC			The project owner shall submit to the CPM for review and approval a noise control program.	At least 30 days prior to the start of ground disturbance, the project owner shall submit to the CPM the noise control program.	Prior to ground disturbance	30	LECEF
NOISE	4	CONS			The project owner shall equip steam blow piping with a temporary silencer that quiets the noise of steam blows to no greater than 89 dBA measured at a distance of 50 feet.	At least 15 days prior to the first steam blow, the project owner shall submit to the CPM drawings or other information describing the temporary steam blow silencer and the noise levels expected, and a description of the steam blow schedule.	Prior to the first steam blow	15	LGC
NOISE	5	CONS			Prior to the first steam blow(s), the project owner shall notify all residents and business owners within one-half mile of the site of the planned steam blow activity, and shall make the notification available to other area residents in an appropriate manner.	Project owner shall notify residents and businesses at least 15 days prior to the first steam blow(s).	Prior to the first steam blow	15	LECEF
NOISE	5	CONS			The notification may be in the form of letters to the area residences, telephone calls, fliers or other effective means. The notification shall include a description of the purpose and nature of the steam blow(s), the proposed schedule, the expected sound levels, and the explanation that it is a one-time operation and not a part of normal plant operations.	Within five days of notifying these entities, the project owner shall send a letter to the CPM confirming that local residents and businesses have been notified of the planned steam blow activities, including a description of the method(s) of that notification.	After notification	5	LECEF

NOISE	6	PRE-OP			The project design and implementation shall include appropriate noise mitigation measures adequate to ensure that operation of the project will not cause noise levels due to plant operation to exceed the values shown in NOISE-6. When the projects first achieves a sustained output of 80 percent or greater of rated capacity, the project owner shall conduct noise surveys as described in NOISE-6.	The survey shall take place within 30 days of the project first achieving a sustained output of 80 percent or greater of rated capacity.	After achieving a sustained output of 80 percent or greater of rated capacity	30	LGC	
NOISE	6	PRE-OP				Within 30 days after completing the survey, the project owner shall submit a summary report of the survey to the CPM. The report shall describe additional mitigation measures necessary to achieve compliance with the NOISE-6 limits.	After completing the survey	30	LGC	
NOISE	6	PRE-OP				When mitigation measures described in the summary report are in place, the project owner shall repeat the noise survey. Within 30 days after completing the new survey, the project owner shall submit to the CPM a summary report of the new noise survey.	After completing the new survey	30	LGC	
NOISE	7	PRE-OP			Following the project first achieving a sustained output of 80 percent or greater of rated capacity, the project owner shall conduct an occupational noise survey to identify the noise hazardous areas in the facility.	Within 30 days after completing the survey, the project owner shall submit the noise survey report to the CPM.	After completing the new survey	30	LECEF	
NOISE	8	PC			Pile driving and steam blows shall be restricted to the times of day delineated below: Any day 8 a.m. to 5 p.m. Haul trucks and other engine-powered equipment shall be equipped with adequate mufflers. Haul trucks shall be operated in accordance with posted speed limits. Truck engine exhaust brake use shall be limited to emergencies.	Prior to ground disturbance, the project owner shall transmit to the CPM a statement acknowledging that the above restrictions will be observed throughout the construction of the project.	Prior to ground disturbance		LECEF	
PALEONTOLOGICAL RESOURCES										
PAL	1	PC				Prior to ground disturbance, the project owner shall ensure that the designated paleontological resource specialist approved by the CPM is available for field activities and prepared to implement the conditions of certification.	At least sixty (60) days prior to the start of construction (or a lesser number of days mutually agreed to by the project owner and the CPM), the project owner shall submit the name, statement of qualifications, and the availability for its designated paleontological resource specialist, to the CPM for review and approval.	Prior to the start of construction	60	LECEF
PAL	1	PC				The PRS shall obtain qualified paleontological resource monitors to monitor as necessary on the project.	At least twenty (20) days prior to ground disturbance, the PRS or project owner shall provide a letter with resumes naming anticipated monitors for the project and stating that the identified monitors meet the minimum qualifications for paleontological resource monitoring required by the condition.	Prior to ground disturbance	20	LECEF
PAL	1	CONS					If additional monitors are obtained during the project, the PRS shall provide additional letters and resumes to the CPM for approval no later than one week prior to the monitor beginning on-site duties.	Prior to additional monitor activities	7	LECEF
PAL	1	CONS				Should emergency replacement of the designated specialist become necessary, the project owner shall immediately notify the CPM to discuss the qualifications of its proposed replacement specialist.	At least ten (10) days prior to the termination or release of a designated paleontological resource specialist, the project owner shall obtain CPM approval of the replacement specialist by submitting to the CPM the name and resume of the proposed new designated paleontological resource specialist.	Prior to the termination or release	10	LECEF
PAL	2	PC				Prior to site mobilization, the designated PRS shall prepare a Paleontological Resources Monitoring and Mitigation Plan to identify general and specific measures to minimize potential impacts to sensitive paleontological resources, and submit this plan to the CPM for review and approval.	At least forty-five (45) days prior to the start of construction, the project owner shall provide the CPM with a copy of the PRMMP prepared by the designated PRS for review and approval.	Prior to the start of construction	45	LECEF
PAL	3	PC				Prior to the ground disturbance, and throughout the project construction period as needed for all new employees, the project owner and the designated paleontological resource specialist shall prepare, and the owner shall conduct, CPM-approved training to all project managers, construction supervisors, and workers who operate ground disturbing equipment.	At least thirty (30) days prior to site mobilization, the project owner shall submit to the CPM for review and approval the proposed employee training program and the set of reporting procedures the workers are to follow if paleontological resources are encountered during project construction.	Prior to the start of mobilization	30	LECEF
PAL	3	CONS		MCR		Each worker shall sign a Certification of Completion WEAP form indicating that they have received the training. A sticker that shall be placed on hard hats indicating that environmental training has been completed shall be provided to each worker that has completed the training.	Documentation for training of additional new employees shall be provided in subsequent Monthly Compliance Reports, as provided in the Certification of Completion WEAP form at the end of these conditions.			LGC
PAL	4	CONS		MCR		The PRS and PRM(s) shall monitor consistent with the PRMMP, all construction-related grading, excavation, trenching, and augering in areas where potentially fossil-bearing materials have been identified.	The PRS shall submit the summary of monitoring and paleontological activities in the Monthly Compliance Report.			LECEF

PAL	5	CONS			The project owner, through the designated PRS, shall ensure recovery, preparation for analysis, analysis, identification and inventory, the preparation for curation, and the delivery for curation of all significant paleontological resource materials encountered and collected during the monitoring, data recovery, mapping, and mitigation activities related to the project.	The project owner shall maintain in its compliance files copies of signed contracts or agreements with the designated PRS and other qualified research specialists who will ensure the necessary data and fossil recovery, mapping, preparation for analysis, analysis, identification and inventory, and preparation for and delivery of all significant paleontological resource materials collected during data recovery and mitigation for the project.			LECEF	
PAL	6	CONS			The project owner shall ensure preparation of a Paleontological Resources Report by the designated paleontological resource specialist.	Within ninety (90) days following completion of the analysis of the recovered fossil materials, the project owner shall submit a copy of the PRR to the CPM for review and approval under a cover letter stating that it is a confidential document.	Following completion of the analysis	90	LECEF	
PUBLIC HEALTH										
PH	1	PRE-OP			The project owner shall develop and implement a Cooling Water Management Plan to ensure that the potential for bacterial growth in cooling water is controlled. The Plan shall be consistent with either Staff's "Cooling Water Management Program Guidelines" or with the Cooling Technology Institute's "Best Practices for Control of Legionella" guidelines.	At least 30 days prior to the start of commissioning of LECEF Phase 2, the project owner shall provide the Cooling Water Management Plan to the CPM for review and approval.	Prior to the start of commissioning	30	LECEF	
SOCIOECONOMICS										
SOCIO	1	PC			The project owner and its contractors and subcontractors shall recruit employees and procure materials and supplies within the Bay Area	At least 60 days prior to the start of construction, the project owner shall submit to the Energy Commission CPM copies of contractor, subcontractor, and vendor solicitations and guidelines stating hiring and procurement requirements and procedures.	Prior to the start of construction	60	LGC	
SOCIO	1	CONS		MCR		The project owner shall notify the CPM in each Monthly Compliance Report of the reasons for any planned procurement of materials or hiring outside the Bay Area that will occur during the next two months.			LGC	
SOIL & WATER RESOURCES										
S&W	1	PC		X	Prior to beginning any site mobilization activities, the project owner shall obtain staff approval of a final Construction Erosion and Sediment Control Plan (ESCP).	The Phase 2 ESCP shall be submitted to the CPM for review and approval and to the City of San Jose for review and comments at least 60 days prior to start of any site mobilization activities. The CPM must approve the final ESCP prior to the initiation of any site mobilization activities.	Prior to site mobilization	60	LECEF	
S&W	2	PC		X	The project owner shall submit a Notice of Intent for construction under the General NPDES Permit for Discharges of Storm Water Associated with Construction Activity to the State Water Resources Control Board (SWRCB), and obtain CPM approval of the related Storm Water Pollution Prevention Plan (SWPPP) for Construction Activity associated with Phase 2.	At least 60 days prior to the start of any site mobilization activities, the Phase 2 SWPPP for Construction Activity and a copy of the Notice of Intent for construction under the General NPDES Permit for Discharges of Storm Water Associated with Construction Activity filed with the SWRCB, shall be submitted to the CPM. Approval of the final SWPPP by the CPM must be received prior to initiation of any site mobilization activities.	Prior to the start of ground disturbance	60	LECEF	
S&W	3	PC			The project owner shall submit the following to the CPM as appropriate in association with obtaining approval for construction and operation of a storm water outfall into Coyote Creek	At least 30 days prior to construction of the storm water outfall in Coyote Creek, and if through the permitting process a Conditional Waiver of Waste Discharge Requirements is required, a Conditional Waiver of Waste Discharge Requirements shall be submitted to the CPM.	Prior to construction of the storm water outfall	30	LECEF	
S&W	3	PRE-OP			Based on a design that will only discharge storm water from nonprocess areas for operation of the storm water outfall into Coyote Creek, the project owner shall submit a NOI and acceptance from the SWRCB for operating under the General NPDES Permit for Discharge of Storm Water Associated with Industrial Activity.	At least 30 days prior to the start of project operation, evidence of acceptance by the SWRCB of the Notice of Intent for operating under the General NPDES Permit for Discharges of Storm Water Associated with Industrial Activity shall be submitted to the CPM	Prior to the start of operation	30	LECEF	
S&W	3	PC			For operation of the storm water outfall into Coyote Creek, the project owner shall obtain CPM approval of the related Storm Water Pollution Prevention Plan (SWPPP) for Industrial Activity.	At least 30 days prior to construction of the permanent outfall into Coyote Creek, the project owner shall submit to the CPM for approval a revised SWPPP for Industrial Activity for the entire LECEF project including Phase 2	Prior to construction of the storm water outfall	30	LECEF	
S&W	4				DELETED					LECEF
S&W	5				DELETED					LECEF
S&W	6	OP		ACR	The project owner will install metering devices and/or utilize meters installed by the City of San Jose in order to record on a monthly basis the amount of recycled water used by the project. The project owner shall prepare an annual summary pursuant to SOIL & WATER-6.	The project owner will submit as part of its annual compliance report a water use summary to the CPM on an annual basis for the life of the project.			LECEF	
S&W	6	CONS				Any significant changes in the water supply for the project during construction or operation of the plant shall be noticed in writing to the CPM at least 60 days prior to the effective date of the proposed change.	Prior to proposed change	60	LECEF	

S&W	6	OP				Any significant changes in the water supply for the project during construction or operation of the plant shall be noticed in writing to the CPM at least 60 days prior to the effective date of the proposed change.	Prior to proposed change	60	LECEF
S&W	7	PRE-OP			The project owner shall provide the CPM with all information/data necessary to satisfy the requirements of the User Agreement for Recycled Water under the SBWR Program including any additional documentation associated with recent or planned modification affecting recycled water use rates.	At least 60 days prior to initial operation, the project owner shall submit all documents needed to support the increased recycled water supply quantities for Phase 2 that are submitted to the City of San Jose, and a copy of the User Agreement with the City of San Jose to the CPM.	Prior to initial operation	60	LECEF
S&W	8	PRE-OP			The project owner shall provide the CPM with all information/data necessary to satisfy the requirements of the Industrial Wastewater Discharge Permit for its proposed disposal of industrial and sanitary waste into the San Jose/Santa Clara WPCP	At least 60 days prior to operation the project owner shall submit copies of all elements submitted to the City of San Jose for the Industrial Wastewater Discharge Permit, and a copy of the permit to the CPM when issued.	Prior to initial operation	60	LECEF
S&W	9	PRE-OP			The project owner shall provide the CPM with evidence of submitting an accepted Engineer's Report for Title 22 Reclamation Requirements to the CA Department of Health Services, as applicable for obtaining unrestricted use of recycled water.	At least 30 days prior to project operation, the project owner shall submit to the CPM evidence of submitting an Engineer's Report for Title 22 Reclamation Requirements to the CA Department of Health Services.	Prior to initial operation	30	LECEF
S&W	10	PC			The project owner shall provide the CPM with evidence of pre-construction notification and consultation with the ACOE regarding compliance with Nationwide Permit #'s 7 and 33, consistent with Section 404 of the Clean Water Act, if necessary, for placement of the storm water outfall and/or temporary construction, access and dewatering in Coyote Creek.	At least 30 days prior to construction of the storm water outfall, the project owner shall submit to the CPM evidence of consultation with the ACOE and authorization from the ACOE regarding Nationwide Permits #'s 7 and 33 as needed to comply with Section 404 of the Clean Water Act.	Prior to construction of the storm water outfall	30	LECEF
TRAFFIC AND TRANSPORTATION									
TRANS	1	PC			The project owner shall develop a Construction Traffic Control Plan that limits peak hour construction-period truck and commute traffic in coordination with the City of San Jose Public Works Department.	At least 60 days prior to start of site mobilization, the project owner shall provide to Santa Clara County, the City of San Jose, the CHP, and Caltrans for review and comment, and to the CPM for review and approval, a copy of its Construction Traffic Control Plan.	Prior to the start of ground disturbance	60	LECEF
TRANS	1	CONS				Every two months during the construction period, the project owner shall monitor and report the turning movements and traffic volumes for the project access roads during the AM (7 to 9 a.m.) and PM (4 to 6 p.m.) peak hours to confirm construction trip generation rates.			LECEF
TRANS	2	CONS		MCR	The project owner shall comply with Caltrans and other affected jurisdictions' limitations on vehicle sizes and weights. In addition, the project owner or their contractor shall obtain necessary transportation permits from Caltrans and all relevant jurisdictions for roadway use.	In the Monthly Compliance Reports, the project owner shall submit copies of any oversize and overweight transportation permits received during that reporting period. In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six months after the start of commercial operation.			LGC
TRANS	3	CONS		MCR	The project owner shall ensure that permits and/or licenses are secured from the CHP and Caltrans for the transport of all hazardous materials, and that all federal and state regulations for the transport of hazardous materials are observed. The project owner shall ensure that all heavy vehicles and vehicles transporting hazardous materials shall use the following route: from SR 237, exit northbound at Zanker Road, from Zanker turn right to enter the LECEF site via Thomas Foon Chew Way, the primary site access road	The project owner shall include in its <u>Monthly Compliance Reports during construction</u> and Annual Compliance Reports during operations copies of all permits and licenses acquired by the project owner concerning the transport of hazardous materials and copies of written documentation to transporters indicating the preferred route for delivery of hazardous materials.			LGC
TRANS	3	OP		ACR		The project owner shall include in its Monthly Compliance Reports during construction and <u>Annual Compliance Reports during operations</u> copies of all permits and licenses acquired by the project owner concerning the transport of hazardous materials and copies of written documentation to transporters indicating the preferred route for delivery of hazardous materials.			LECEF
TRANS	4	PC			Prior to the construction of the power plant and all related facilities, the project owner shall develop a parking and staging plan for all phases of project construction, to enforce a policy that all project related parking occurs onsite.	At least 30 days prior to the start of site mobilization, the project owner shall submit the plan to the City of San Jose Public Works staff for review and comment, and to the CPM for review and approval. The material submitted to the CPM shall include documentation of the City's review and comments.	Prior to the start of mobilization	30	LGC
TRANS	4	CONS		MCR		MCRs submitted to the CPM shall describe the project owner's actions to ensure that this condition is being met.			

TRANS	5	OP			The project owner shall repair affected public rights-of-way (e.g., highway, road, bicycle path, pedestrian path, etc.) to original or near original condition that have been damaged due to construction activities conducted for the project and its associated facilities.	Within 60 calendar days after completion of construction, the project owner shall meet with the CPM, the affected local jurisdiction(s) and Caltrans (if applicable) to identify sections of the public right-of-way to be repaired, to establish a schedule to complete the repairs, and to receive approval for the action(s).	After completion of construction	60	LGC
TRANS	5	OP				Following completion of any public right-of-way repairs, the project owner shall provide to the CPM a letter signed by the affected local jurisdiction(s) and Caltrans stating their satisfaction with the repairs.	Following completion of any public right-of-way repairs		LECEF
TRANSMISSION LINE SAFETY AND NUISANCE									
TLSN	1	CONS			The project owner shall build any future underground interconnection lines according to the requirements of CPUC's GO-128.	Thirty days before line-related ground disturbance, the project owner shall submit to the CPM a letter signed by a California registered electrical engineer affirming that the proposed line will be constructed according to the requirements of GO-128.	Prior to line-related ground disturbance	30	LGC
TLSN	2	CONS			The project owner shall engage a qualified consultant to measure the strengths of the magnetic fields from PG&E to LECEF's switchyard. Measurements shall be made at the same points (identified as Points A, B, C, and D) for which calculated field strength measurements were provided by the Applicant.	The project owner shall file copies of the pre-and postenergization measurements with the CPM within 60 days after completion of the measurements.	After completion of the measurements	60	LGC
TLSN	3	CONS			The project owner shall build the proposed overhead 230 kV interconnection lines according to the requirements of CPUC's GO-52, (and GO-128 if underground) Title 8, Section 2700 et seq. of the California Code of regulations, and PG&E's EMF reduction guidelines arising from CPUC Decision 93-11-013.	Thirty days before line-related ground disturbance, the project owner shall submit to the CPM a letter signed by a California registered electrical engineer affirming that the proposed line will be constructed according to the requirements noted above.	Prior to line-related ground disturbance	30	LGC
TRANSMISSION SYSTEM ENGINEERING									
TSE	1	PC	X		The project owner shall furnish to the CPM and to the CBO a schedule of transmission facility design submittals, a Master Drawing List, a Master Specifications List, and a Major Equipment and Structure List.	At least 60 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of construction of transmission facilities, the project owner shall submit the schedule, a Master Drawing List, and a Master Specifications List to the CBO and to the CPM.	Prior to the start of construction of transmission facilities	60	LGC
TSE	1	CONS		MCR		The project owner shall provide schedule updates in the Monthly Compliance Report			LGC
TSE	2	PC	X		Prior to the start of construction the project owner shall assign an electrical engineer and at least one of each of the following to the project: A) a civil engineer; B) a geotechnical engineer or a civil engineer experienced and knowledgeable in the practice of soils engineering; C) a design engineer, who is either a structural engineer or a civil engineer fully competent and proficient in the design of power plant structures and equipment supports; or D) a mechanical engineer.	At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, the names, qualifications and registration numbers of all the responsible engineers assigned to the project.	Prior to the start of rough grading	30	LGC
TSE	2	PC				The project owner shall notify the CPM of the CBO's approvals of the engineers within five days of the approval.	After CBO approval	5	LECEF
TSE	2	CONS				If any one of the designated engineers is subsequently reassigned or replaced, the project owner has five days in which to submit the names, qualifications and registration numbers of newly assigned engineers to the CBO for review and approval. The CPM shall be notified of CBO approval within five days of approval.	Prior to reassignment or replacement	5	
TSE	3	CONS	x		The project owner shall keep the CBO informed regarding the status of engineering design and construction. If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, the project owner shall document the discrepancy and recommend corrective action.	The project owner shall submit a copy of the CBO's approval or disapproval of any corrective action taken to resolve a discrepancy to the CPM within 15 days of receipt.	After CBO action	15	LGC
TSE	3	CONS				If disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval, and the revised corrective action required to obtain the CBO's approval.	After CBO disapproval	5	LGC
TSE	4	CONS	X		For the power plant switchyard, outlet line and termination, the project owner shall not begin any increment of construction until plans for that increment have been approved by the CBO	At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of each increment of construction, the project owner shall submit to the CBO for review and approval the final design plans, specifications and calculations for equipment and systems of the power plant switchyard, outlet line and termination, including a copy of the signed and stamped statement from the responsible electrical engineer attesting to compliance with the applicable LORS	Prior to the start of each increment of construction	30	LGC

TSE	4	CONS	X		The project owner shall request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS.				LGC
TSE	4	CONS		MCR	Activities related to the power plant switchyard, outlet line and termination that are listed in TSE-4 shall be reported in the MCR.	Send the CPM a copy of the transmittal letter in the next Monthly Compliance Report			LGC
TSE	5	CONS	X		The project owner shall ensure that the design, construction and operation of the proposed transmission facilities will conform to all applicable LORS, including the requirements listed in TSE-5, as modified by subsequent amendment to the project license.	At least 60 days prior to the start of construction of transmission facilities (or a lesser number of days mutually agree to by the project owner and CBO), the project owner shall submit to the CBO for approval the items listed in TSE-5, as modified by subsequent amendment to the project license.	Prior to the start of construction of transmission facilities	60	LGC
TSE	6	CONS	X		The project owner shall inform the CPM and CBO in writing of any impending changes, which may not conform to the requirements TSE-5 a) through g), and have not received CPM and CBO approval, and request approval to implement such changes. Construction involving changed equipment or substation configurations shall not begin without prior written approval of the changes by the CBO and CPM.	At least 60 days prior to the construction of transmission facilities, the project owner shall inform the CBO and the CPM in writing of any impending changes which may not conform to requirements of TSE-5 and request approval to implement such changes.	Prior to the start of construction of transmission facilities	60	LGC
TSE	7	CONS			The project owner shall provide Notice to the Cal-ISO and PG&E prior to synchronizing the facility with the California transmission system	The project owner shall provide copies of the Cal-ISO letter to the CPM and PG&E when it is sent to the Cal-ISO one (1) week prior to initial synchronization with the grid.	Prior to initial synchronization with the grid	7	LGC
TSE	7	CONS				The project owner shall contact the Cal-ISO Outage Coordination Department, Monday through Friday, between the hours of 0700 and 1530 at (916) 351-2300 at least one business day prior to synchronizing the facility with the grid for testing.	Prior to synchronizing the facility with the grid	1	LGC
TSE	7	CONS				A report of conversation with the Cal-ISO shall be provided electronically to the CPM one (1) day before synchronizing the facility with the California transmission system for the first time.	Prior to initial synchronization with the grid	1	LGC
TSE	8	CONS			The project owner shall be responsible for the inspection of the transmission facilities during and after project construction, and any subsequent CPM and CBO approved changes thereto	Within 60 days after first synchronization of the project, the project owner shall transmit to the CPM and CBO: a) "As built" engineering description(s) and one-line drawings of the electrical portion of the facilities; b) An "as built" engineering description of the mechanical, structural, and civil portion of the transmission facilities; c) A summary of inspections of the completed transmission facilities, and identification of any nonconforming work and corrective actions taken. Documents to be signed and sealed by registered engineer as indicated in TSE-8	Prior to initial synchronization with the grid	60	LGC
TSE	8	CONS			In case of non-conformance, the project owner shall inform the CPM and CBO in writing, within 10 days of discovering such non-conformance and describe the corrective actions to be taken		Upon discovery	10	LGC
TSE	A1	OP			The new temporary tap interconnection shall consist of an approximately 152 foot transmission line under-crossing of the two double circuit PG&E 115 kV steel pole lines (running generally North/South) immediately adjacent to the LECEF power plant Switchyard to a hard wire tap of the Nortech-PG&E Los Esteros Substation circuit utilizing three wood poles. The cable size shall be 795 ACSS.	This configuration has been implemented and conforms to existing LORS.			LECEF
TSE	A2	OP			To provide adequate operational reliability and flexibility for the new temporary interconnection, a three-phase disconnect/selecter switch shall be installed at the interconnection tap point with the Nortech-PG&E Los Esteros Substation 115 kV line to be coordinated between Calpine and PG&E. At the interconnection tap point the switch is required for the circuit to the Nortech Substation.	The three-phase disconnect/selecter switch has been installed.			LECEF
VISUAL RESOURCES									
VIS	1	PRE-OP			The project owner shall submit a plan to the CPM for review and approval and to the City of San Jose for review and comment for restoring the surface conditions of construction staging and storage areas. The plan shall include grading, contouring, and revegetation consistent with applicable plans. The project owner shall not implement the plan until receipt of written approval.	At least 45 days prior to beginning implementation of the surface restoration, the project owner shall submit the restoration plan to the CPM for review and approval and to the City of San Jose for review and comment.	Prior to beginning implementation of the surface restoration	45	LGC

VIS	2	CONS			The project owner shall a) treat all project structures and buildings visible to the public in appropriate colors or hues that minimize visual intrusion and contrast by blending with the surrounding landscape, and b) ensure that those structures and buildings have surfaces that do not create glare. A specific treatment plan shall be developed for CPM approval to ensure that the proposed colors do not unduly contrast with the surrounding landscape colors. Prior to submittal of the plan to the CPM, the project owner shall submit the plan to the City of San Jose for review and comment. The project owner shall not perform the final treatment on any structures until receipt of approval of the treatment plan from the CPM.	At least 30 days prior to ordering the first structures that are color treated during manufacture, the project owner shall submit its proposed plan to the CPM for review and approval and to the City of San Jose for review and comment.	Prior to ordering the first structures that are color treated during manufacture	30	LGC
VIS	2	CONS				Prior to the start of commercial operation of Phase 2, the project owner shall notify the CPM that all structures treated during manufacture and all structures treated in the field are ready for inspection.	Prior to the start of operation		LGC
VIS	2	OP		ACR		The project owner shall provide a status report regarding treatment maintenance in the Annual Compliance Report. The report shall specify a); the condition of the surfaces of all buildings and structures (including the perimeter walls) at the end of the reporting year; b) maintenance activities that occurred during the reporting year; and c) the schedule of maintenance activities for the next year.			LECEF
VIS	3	CONS			The project owner shall provide landscaping that is effective in screening the majority of structural forms (not the upper portions of the stacks) from the following key viewing areas: (a) SR-237 and the existing bicycle trail to the south, (b) Zanker Road to the west, and (c) the proposed Bay Trail alignments to the east. The project owner shall not implement the plan until receipt of approval from the CPM. However, the planting must be completed as soon as practical without impeding construction and consistent with the revised landscaping plan presented on May 20, 2002.	The final project landscaping plan shall be prepared under the direction of the Architectural Committee. At least 30 days prior to installing the landscaping, the project owner shall submit the plan to the CPM for review and approval and the City of San Jose for review and comment.	Prior to installing the landscaping	30	LECEF
VIS	3	CONS				The project owner shall notify the CPM within 7 days after completing installation of the landscaping, that the landscaping is ready for inspection.	After completing installation of the landscaping	7	LECEF
VIS	3	OP		ACR		The project owner shall report landscape maintenance activities, including replacement of dead or dying screening trees and any major repairs to the berms and irrigation system, for the previous year of operation in each Annual Compliance Report.			LECEF
VIS	4	CONS			The project owner shall design and install all lighting such that light bulb and reflector glare is not visible from public viewing areas and illumination of the vicinity and the night sky is minimized during both project construction and operation. The project owner shall develop and submit lighting plans for construction and operation of the project to the CPM for review and approval and the City of San Jose for review and comment. Lighting shall not be installed before the plans are approved.	At least 15 days prior to installing the construction lighting, the project owner shall provide the construction lighting plans to the CPM for review and approval and the City of San Jose for review and comment.	Prior to installing the construction lighting	15	LGC
VIS	4	CONS				At least 30 days before ordering the facility exterior lighting, the project owner shall provide the lighting plan to the CPM for review and approval and the City of San Jose for review and comment.	Prior to ordering the facility exterior lighting	30	LGC
VIS	4	CONS				The project owner shall notify the CPM within seven days of completing exterior lighting installation that the lighting is ready for inspection.	After completing exterior lighting installation	7	LGC
VIS	4	CONS				Within 48 hours of receiving a lighting complain, the project owner shall provide to the CPM a) a report of the complaint, b) a proposal to resolve the complaint, and c) a schedule for implementation of the proposal.	After complaint	2	LECEF
VIS	4	CONS				The project owner shall provide a copy of the completed complaint resolution form to the CPM within 10 days of complaint resolution.	After complaint resolution	10	LECEF
VIS	5	CONS			The project owner shall comply with the City of San Jose's requirements regarding signs visible to the public. In addition, the project owner shall install minimal signage, which shall be constructed of non-glare materials and nonobtrusive colors.	At least 30 days prior to installing signage visible to the public, the project owner shall submit the plan to the CPM for review and approval and to the City of San Jose for review and comment.	Prior to installing signage visible to the public	30	LGC
VIS	5	CONS				The project owner shall notify the CPM within 7 days after completing installation of the signage that they are ready for inspection.	After completing installation of the signage	7	LGC

VIS	6	CONS			The project owner shall reduce the six-cell cooling tower visible vapor plumes through the use of a dry-cooling section that has a stipulated plume abatement design equivalent to or better than that depicted in the Data Request Response No. 53 Attachment VIS-3 Fogging Frequency Curve, dated April 2004.	At least 60 days prior to construction of the six-cell cooling tower, the project owner shall provide to the CPM for review and approval the specifications for the abatement system (including the fogging frequency curve) and for the meteorological monitoring and notification system and the operations protocol for its use, that will be used to ensure maximum plume abatement from the dry-cooling section of the six-cell cooling tower.	Prior to construction of the six-cell cooling tower	60	LECEF
VIS	6	OP		ACR		The project owner shall provide a written certification in each annual compliance report to demonstrate that the cooling towers have consistently been operated within the design parameters, except as necessary to prevent damage to the cooling tower.			LECEF
VIS	6	OP				If the CPM determines that cooling tower operation monitoring is required, then the project owner shall provide to the CPM the cooling tower operating data within 30 days of the end of the monitoring period.	After monitoring periods	30	LECEF
WASTE MANAGEMENT									
WASTE	1	ALL			Upon becoming aware of any impending waste management related enforcement action by any local, state, or federal authority, the project owner shall notify the CPM of any such action taken or proposed to be taken against the project itself, or against any waste hauler or disposal facility or treatment operator with which the owner contracts.	The project owner shall notify the CPM in writing within 10 days of becoming aware of an impending enforcement action.	Upon becoming aware of an impending enforcement action	10	LECEF
WASTE	2	PC			Prior to the start of construction and operation, the project owner shall prepare and submit to the CEC CPM, for review and comment, an updated waste management plan for all wastes generated during preconstruction, construction and operation of the facility, respectively	No less than 30 days prior to the start of construction, the project owner shall submit the construction waste management plan to the CPM for review.	Prior to the start of construction	30	LECEF
WASTE	2	PRE-OP				The operation waste management plan shall be submitted no less than 30 days prior to the start of project operation.	Prior to operation	30	LECEF
WASTE	2	OP		ACR		In the Annual Compliance Reports, the project owner shall document the actual waste management methods used during the year compared to planned management methods.			LECEF
WASTE	2		1203		TRC Soil and GW Report		Info to CBO only		LGC
WASTE	3				DELETED				LECEF
WASTE	4				DELETED				LECEF
WASTE	5	CONS		MCR	Both the project owner and its construction contractor shall obtain unique hazardous waste generator identification numbers from the Department of Toxic Substances Control prior to generating any hazardous waste.	The project owner and its construction contractor shall keep copies of the identification numbers on file at the project site and notify the CPM via the monthly compliance report of their receipt			LGC
WASTE	6	PC			The project owner shall prepare and submit to the CEC CPM a Soils Management Plan (SMP) prior to any earthwork.	At least 45 days prior to any earthwork, the project owner shall submit the SMP to the CPM for review and approval. The SMP shall also be submitted to the Berkeley office of the DTSC or its successor for review and comment.	prior to any earthwork	45	LECEF
WASTE	6	CONS			A SMP summary report, which includes all analytical data and other findings, must be submitted once the earthwork has been completed	A SMP summary shall be submitted to CPM and DTSC within 25 days of completion of any earthwork.	After completion of any earthwork	25	LECEF
WASTE	7	OP			The project owner shall not change ownership of, rent, or lease the entire project site or a portion for non-power plant use, without first notifying the CPM and DTSC (or its successor) and performing any remediation necessary to bring that particular portion of the site or the entire site itself (as applicable) into conformance with then current site cleanup standards appropriate to the intended use of that portion or the entire site.	At least 90 days prior to the change of ownership, rental or lease of the project site or a portion for non-power plant use, the project owner shall submit such notification to the CPM and DTSC and a statement that documents that the particular portion or the entire site will meet then current cleanup standards appropriate to its intended use or a remediation plan, if required to bring that portion or the entire site into conformance with the intended use	Prior to the change of ownership	90	LECEF
WORKER SAFETY AND FIRE PROTECTION									
SAFETY	1	PC	1100		The project owner shall submit to the CPM an updated Project Construction Safety and Health Program containing: • Construction Injury and Illness Prevention Program; • Construction Safety Program; • Construction Personal Protective Equipment Program; • Construction Exposure Monitoring Program; • Construction Emergency Action Plan; and • Construction Fire Protection and Prevention Plan.	At least 30 days prior to the start of construction, the project owner shall submit to the CPM for review and approval a copy of the updated Project Construction Safety and Health Program.	Disposition received 7/13/11 as info only	30	

SAFETY	1	PC			The Construction Fire Protection and Prevention Plan and the Emergency Action Plan shall be submitted to the City of San Jose Fire Dept. for review and comment prior to submittal to the CPM.	The project owner shall provide a letter from the City of San Jose Fire Dept. stating that they have reviewed and commented on the CFPPP and EAP.	Prior to the start of construction	30	LGC
SAFETY	2	PRE-OP			The project owner shall submit to the CPM an updated Project Operations and Maintenance Safety and Health Program containing the following: <ul style="list-style-type: none"> • Operation Injury and Illness Prevention Plan; • Emergency Action Plan; • Hazardous Materials Management Program; • Operations and Maintenance Safety Program; • Fire Protection and Prevention Program • Personal Protective Equipment Program The OIIPP, EAP, and PPEP shall be submitted to Cal/OSHA Consultation Service for review and comment. The OFPP and the EAP shall be submitted to the City of San Jose Fire Dept. for review and comment.	At least 30 days prior to the start of operation, the project owner shall submit to the CPM for review and approval a copy of the updated Project Operations and Maintenance Safety & Health Program.	Prior to the start of operation	30	LECEF
SAFETY	3	PC			The project owner shall prepare and submit to the CPM an updated Operations Fire Prevention Plan describing the onsite fire protection system that will be provided in this project.	At least 30 days prior to the start of construction, the project owner shall submit to the City of San Jose Fire Department a copy of the final version of the Operations Fire Prevention Plan for review and comment and to the CPM for review and approval.	Prior to the start of construction	30	LGC
SAFETY	4	PC			The project owner shall employ a CPM-approved Safety Monitor, who will report directly to the CBO, and who will be responsible for verifying that the CSS, as required in Worker Safety-5, implement all appropriate Cal/OSHA and Commission safety requirements specified in the evidentiary record and in Conditions Worker Safety 1, 2, and 3 of this Decision. The CPM approved Safety Monitor shall conduct a site safety inspection at least once a week during construction of permanent structures, and commissioning, unless a lesser number of inspections is approved by the CPM.	The project owner shall submit the Safety Monitor(s) resume(s) to the CPM for approval at least 30 days prior to site mobilization. One or more individuals may hold this position.	Prior to the start of mobilization	30	LECEF
SAFETY	4	CONS		MCR		The Safety Monitor shall submit in the Monthly Compliance Report a monthly safety inspection report			LECEF
SAFETY	5	PC			The project owner shall provide a site Construction Safety Supervisor (CSS) who, by way of training and/or experience, is knowledgeable of power plant construction activities and relevant laws, ordinances, regulations, and standards, is capable of identifying workplace hazards relating to the specific operations, and has authority to take appropriate action.	At least 30 days prior to the start of site mobilization, the project owner shall submit to the CPM the name and qualifications of the CSS for review and approval.	Prior to the start of mobilization	30	LGC