State of California

Memorandum

DOCKET
03-AFC-2
DATE OCT 6 2006
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The Resources Agency of California

To: Chairman Jackalyne Pfannenstiel, Presiding Member
John L Geesman, Commissioner and Associate Member

Date : October 6, 2006

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Robert Worl

From : **California Energy Commission** – Robert Worl, Project Manager
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Subject: Staff Comments on the Los Esteros Critical Energy Facility II, Phase 2, Revised PMPD (03-AFC-2)

Staff has completed their review of the Los Esteros Critical Energy Facility II, Phase 2 Revised Presiding Member's Proposed Decision (RPMPD). Based on this review, we offer the following comments.

Comments for Section III. Compliance and Closure

The Energy Commission's adoption order should indicate that the conditions of certification contained in the LECEF II, Phase 2 Decision become effective upon the initiation of any new construction.

Comments for Section V. Public Health and Safety Assessment:

Beginning on page 144, and throughout the Revised PMPD, and many Energy Commission documents, there is confusion regarding acronyms and chemical notation for certain commonly used terms. Below are listed some of the commonly confused notations:

PM10 and PM2.5 are acronyms for particulate matter (PM) 10 microns or smaller, and for PM that is 2.5 microns or smaller. These are often subscripted as if they are a chemical notation. They should not be subscripted.

CO_2 is a chemical notation and should be subscripted, and it is not. It is often written as CO2.

Page Specific Errata Items:

p. 148: Second paragraph, line 6, the words "...location and..." should be deleted.

p. 149: Second paragraph, line2, the number of additional tons of should read 13.730 tons, and not 14.25 tons. This is in agreement with the Condition of Certification **AQ-SC9**.

p. 151: Second paragraph, line 4, item 3): states that "it is not appropriate for staff to use CEQA as a basis for imposing a requirement in an area already addressed by the BAAQMD". It should be noted that BAAQMD does not address CEQA in this case.

p. 152: first full paragraph, line 4, footnote 19 refers to a study that, though mentioned, has never been produced by the applicant or the BAAQMD for staff review, and does not exist in the Docket.

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atmosphere. Again, it should be noted that secondary PM10 is a regional, and not a site-specific, issue (see p. 153, paragraph 3, line 3). This difference of views is not well supported by recent studies, and merits further scrutiny and discussion by all parties as additional opportunities arise, and additional data becomes available for analysis. Staff supports the suggestion of revisiting this discussion in future siting cases, with additional analytical data that should become available.

p. 165: **AQ-SC7**, line 5, the reference to Appendix A should be deleted, and further,
p. 166, paragraph 1, lines 1 through 3 should be deleted as both the reference to the Appendix A, and the descriptive lines, were originally used to denote the "Required Emission Reduction Credits" table not included in this Condition of Certification.

p., 170, **AQ-10**, contains a table with some errors as noted below:

	Without Controls		With Controls	
a. NO_x (as NO_2)	1464 lb/day	102 lb/hr	1464 lb/day	61 lb/hr
b. CO	1056 lb/day	88 lb/hr	984 lb/day	41 lb/hr
c. POC (as CH_4)	288 lb/day		288 lb/day	
d. PM10	~~60~~ **96** lb/day		~~60~~ **96** lb/day	
e. SO_2	~~41.6~~ **18.9** lb/day		~~41.6~~ **18.9** lb/day	

Line d. PM10 should list the values of 96 lb/day and 96 lb/day respectively; and
Line e. SO2 should list the values 18.9 lb/day and 18.9 lb/day respectively.

p. 174, **AQ-20**, line 5, the word "condition" should replace the current word, "Part".

p.175, **AQ-25**, line 5, the word "condition" should replace the current word, "Part".

Comment on Section VIII. LORS Override:
p. 370, Efficiency paragraph, line 3, the stated increase in efficiency should be 8 percent, and not the stated 21 percent.

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION FOR THE LOS ESTEROS CRITICAL ENERGY FACILITY, PHASE 2 (LOS ESTEROS 2)	**DOCKET NO. 03-AFC-2** **(Revised 4/25/06)** ***PROOF OF SERVICE***

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DECLARATION OF SERVICE

I, Angela Hockaday, declare that on October 6, 2006, I deposited copies of the attached Staff Comments on the Los Esteros Critical Energy Facility II, Phase 2 Project, Revised PMPD (03-AFC-2), in the United States mail at Sacramento, CA with first class postage thereon fully prepaid and addressed those identified on the Proof of Service list above. Transmission via electronic mail was consistent with the requirements of the California Code of Regulations, title 20, sections 1209, 1209.5, and 1210.
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[signature]

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