**CCGS LLC**

CCGS-CEC-0022

**Mr. Craig Hoffman**
**Compliance Project Manager**
**(09-AFC-4C)**
**California Energy Commission**
**1516 Ninth Street (MS-2000)**
**Sacramento, CA 95814**

December 14, 2012

Subject: **Oakley Generating Station Project, 09-AFC-4, COMPLIANCE-6**
**Monthly Compliance Report No. 17 for the Reporting Period of November 2012**

Dear Mr. Hoffman,

Pursuant to Condition of Certification COMPLIANCE-6, enclosed is Oakley Generating Station Project Monthly Compliance Report No. 17 for the reporting period of November 2012. To satisfy the CEC requirement for an electronic version of this report, it is being submitted via email.

Should you have any questions, please call me at 916.799.9463 or Mr. Zenis Walley at 415.243.3743.

Sincerely,

Greg Lamberg
Senior Vice President
Contra Costa Generating Station LLC

cc: Z. Walley (CCGS Project Compliance Manager)
J. Crapo (CBO Deputy Project Director)
K. Hinojosa (ECCCHC)
M. Trask (CH2MHill Compliance Manager)

# Oakley Generating Station Project

## CEC Docket No. 09-AFC-4

## Monthly Compliance Report No. 17

## Reporting Period: November 2012

Prepared by Contra Costa Generating Station LLC (CCGS)

# Oakley Generating Station Project

## CEC Docket No. 09-AFC-4

## Monthly Compliance Report No. 17

## Reporting Period: November 2012

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# INTRODUCTION

On May 18, 2011, the California Energy Commission (CEC) issued its Commission Decision (Docket No. 09-AFC-4) approving construction and operation of the Oakley Generating Station (OGS) Project. The CEC Compliance Project Manager (CPM) issued a Limited Notice to Proceed (LNTP)/Start of Construction Phase 1 activities on June 1, 2011 allowing the start of construction activities at the power plant site. The Full Notice to Proceed (FNTP) for Phase 1 activities was issued by the CEC on June 9, 2011. Similarly for Phase 2 activities, the CEC issued a LNTP on June 24, 2011, and the FNTP followed on July 26, 2011.

This document is a Monthly Compliance Report (MCR) as required by Condition of Certification COMPLIANCE-6. The information in this report documents the engineering, procurement, construction, and compliance activities that were performed during the reporting period: November 2012.

# PROJECT STATUS (COMPLIANCE-6, 1)

Contra Costa Generating Station LLC (CCGS), a wholly owned subsidiary of Radback Energy, is proceeding with site related activities as described within this report. GE Energy is supplying the Gas Turbines, Steam Turbine, Generators, HRSG, DCS and CEMS, and associated equipment as an integrated engineered equipment package. Pacific Gas & Electric Company (PG&E) will construct the transmission interconnection facilities, and will also design, build, and operate the natural gas pipeline associated with the project.

The following table presents the percent complete for the engineering, procurement, and construction activities as of the reporting period:

| Activity | Percent Complete |
|---|---|
| Engineering | <5% |
| Procurement | <5% |
| Construction | <5% |

A project schedule is included in Exhibit 1. A Key Events List is included in Exhibit 2. Due to the dynamic nature of a large-scale construction project, key event dates are subject to change. Construction photos taken during the reporting period, if any, are provided in Exhibits 3, 6 and 7.

Project Development Activities during November 2012:

1. Diablo Water District (DWD) - Planning for resolving site interferences is ongoing. Engineering is complete. The plans were approved by DWD, submitted to the CBO for review, and approved by the CBO. The plans have been sent out to bid for construction. CCGS is working in concert with DWD's desired schedule and is planning to commence work in late 1Q13.

2. Transmission - The LGIA has been executed. CCGS continues to work closely with PG&E on the requisite regulatory and environmental approvals for both the gen-tie and the network upgrades.

3. Engineering - A full notice to proceed (for the EPC contractor) will not be issued until the close of construction financing. Engineering work to support current construction activities is being completed by local engineering firms. The CBO remains engaged and provides engineering reviews as required.

4. Chief Building Official (CBO) - CCGS has been making submittals to the CBO in accordance with the schedule. The CBO services contract has been revised to account for the current pace of construction. The CBO continues to be very supportive and cooperative towards the project.

5. PG&E Alternate Feed - Planning for installation of PG&E poles to provide alternate feed and electrical power for site construction is on-going. The plans were submitted to the CBO for review, were approved, and have been sent out to bid for construction. The contract with PG&E for their portion of the work has been finalized and executed.

6. In accordance with Condition of Certification SOIL & WATER-1, and associated verification, the ownership of soil stockpile No. 3 (northern most soil stockpile) was transferred to DuPont. On November 10, 2012, DuPont took take care, custody, and control of soil stockpile No. 3, and has agreed to comply with the OGS Project SWPPP and associated BMP. Compliance will be overseen by the City of Oakley.

## ENGINEERING, PROCUREMENT, AND CONSTRUCTION ACTIVITIES

This section of the MCR provides detailed information on the engineering, procurement, and construction activities that were accomplished during the reporting period.

### ENGINEERING

Engineering activities and schedule going forward will be dependent upon the timing of financial closing. The master CBO submittal log was updated and posted to the CBO's website, where it is available for CEC CPM review. More specific details on the engineering and design activities conducted during the reporting period are described in Exhibit 4 which includes copies of CBO approvals received during the reporting period, and lists activities planned for November 2012.

## PROCUREMENT

Status of major equipment/material procurement will be established as the project nears the close of construction financing.

## CONSTRUCTION

The following construction activities were performed during November 2012:

General

- Monthly activities included:
    - Maintained and established SWPPP BMP as required.
    - Maintained weed control in the graded/excavated area, SWPPP retention basin, and along the site entrance road, as required.
    - Applied water for dust control, as needed.
    - Continued to monitor and plan future site activities.
    - Planning associated with DWD underground 24-inch potable water pipeline relocation.
    - Engineering effort related to the PG&E transmission line tie-in remains on-going.
    - Planning associated with installation of PG&E alternate power feed for site construction.

Civil/Structural

- None

Mechanical

- None

Electrical

- None

STG

- None

HRSG

- Note

Cooling Tower

- None

CTG

- None

Water Treatment

- None

Wetland E Area

- Monitoring and maintenance of SWPPP BMP to assure the health of Wetland E remain on-going.

Transmission Line

- PG&E transmission along with their subcontractor Black and Veatch has continued on with the transmission line design and permitting work during the reporting period.

The following construction activities are planned for December 2012:

General

- Maintain and establish SWPPP BMP, as needed.
- Maintain weed control in graded/excavated areas, SWPPP retention basin, and along the site entrance road.
- Plan and schedule DWD underground 24-inch potable water pipeline relocation.
- Plan and schedule installation of PG&E alternate power feed for site construction. PG&E will begin procurement activities.
- Finalize subcontractor selection for DWD pipeline relocation and PG&E alternate power.

Civil/Structural

- None

Mechanical

- None

Electrical

- None

STG

- None

HRSG

- Note

Cooling Tower

- None

CTG

- None

Water Treatment

- None

Wetland E Area

- Monitor and maintain silt fencing and SWPPP BMP measures for erosion control.

Transmission Line

- As described above.

# COMPLIANCE ACTIVITIES

This section of the MCR describes activities necessary to achieve compliance with all Conditions of Certification in the Commission Decision for the OGS Project. The following information meets the requirements in Condition of Certification COMPLIANCE-6.

### Completed Compliance Activities

Monthly Compliance Report No. 17 covers the reporting period of November 2012. Pursuant to SOIL & WATER-1, following 14-day prior notification to the CEC, DuPont took ownership of soil stockpile No. 3 on November 10, 2012. Pursuant to SOIL & WATER-2, conducted SWPPP 4Q12 training for CCGS staff.

### Compliance Matrix (COMPLIANCE-6, 3)

The compliance matrix (Exhibit 10) was updated during the reporting period to reflect the dates that compliance submittals were provided to the CEC, and the dates of any approvals by the CBO, CEC CPM, or other agencies that have review and approval authority.

### Conditions Satisfied and Required Documents Submitted With This MCR (COMPLIANCE-6, 2 & 4)

The Commission Decision sets forth specific conditions, many of which include reporting requirements that must be addressed in a MCR. The report format is designed to be comprehensive and inclusive of all Conditions of Certification that require monthly or "next" scheduled monthly reporting. However, only elements of conditions that are required to be addressed, <u>or which actually occurred during the subject reporting period,</u> are included in their respective exhibits. The following one-time, as occurred, and/or monthly compliance activities were completed during the reporting period:

**AQ-SC3:** 1) During the reporting period approximately zero (0) gallons of water were used for construction dust control. Dust control measures include application of water (when needed), hydroseed, hydromulch, mechanical soil compaction, and SWPPP BMP, 2) No complaints were filed with the Bay Area Air Quality Management District (BAAQMD) during the reporting period, and 3) No other documentation is attached for the reporting period. Work activities requiring dust control, if any, are described in the AQCMM monthly report in Exhibit 6.

**AQ-SC5:** 1) A summary of all actions taken to maintain compliance, 2) list of heavy equipment, owners, and owners' proper maintenance letter, and 3) other documentation necessary to verify compliance during the reporting period are included in Exhibit 6.

**AQ-SC10:** Documentation in the form of the MCR will be submitted to the CEC CPM and BAAQMD APCO during the facility commissioning period to demonstrate compliance. This information will be included in Exhibit 5.

**BIO-2:** The Designated Biologist provides a Biological Resources Mitigation Implementation and Monitoring Report that documents construction activities and associated biological monitoring during the reporting period. This information is included in Exhibit 7.

**BIO-5:** During the reporting period zero (0) personnel received Worker Environmental Awareness Program training on site. The total number of personnel trained to date is 126. Documentation of worker training records for the reporting period is included in Exhibit 8.

**BIO-6:** The Designated Biologist/Biological Monitors provide monthly documentation on how the biological mitigation measures defined in the BRMIMP have been implemented during the reporting period. This information is included in Exhibit 7.

**BIO-7:** The Designated Biologist/Biological Monitors provide monthly documentation on how the general impact avoidance and minimization measures have been implemented during the reporting period. This information is included in Exhibit 7.

**BIO-9:** The Designated Biologist/Biological Monitors provide documentation on a pre-construction nest survey and on how impact avoidance and minimization measures related to nesting and breeding birds have been implemented during the reporting period. This information is included in Exhibit 7.

**BIO-10:** The Designated Biologist/Biological Monitors provide monthly documentation on how measures to minimize or avoid harassment or harm to bat species have been implemented during the reporting period. This information is included in Exhibit 7.

**BIO-11:** The Designated Biologist/Biological Monitors provide monthly documentation on implementation of Swainson's hawk tree mitigation and avoidance measures during the reporting period. This information is included in Exhibit 7.

**BIO-12:** The Designated Biologist/Biological Monitors provide monthly documentation on implementation of Western Burrowing Owl impact avoidance and minimization measures during the reporting period. This information is included in Exhibit 7.

**BIO-13:** The Designated Biologist/Biological Monitors provide monthly documentation on implementation of American Badger impact avoidance and minimization measures during the reporting period. This information is included in Exhibit 7.

**BIO-14:** The Designated Biologist/Biological Monitors provide monthly documentation on implementation of San Joaquin Kit Fox impact avoidance and minimization measures during the reporting period. This information is included in Exhibit 7.

**BIO-15:** The Designated Biologist/Biological Monitors provide monthly documentation on implementation of Western Pond Turtle impact avoidance and minimization measures during the reporting period. This information is included in Exhibit 7.

**BIO-16:** The Designated Biologist/Biological Monitors provide monthly documentation on implementation of Giant Garter Snake impact avoidance and minimization measures during the reporting period. This information is included in Exhibit 7.

**BIO-17:** The Designated Biologist/Biological Monitors provide monthly documentation on implementation of California Tiger Salamander impact avoidance and minimization measures during the reporting period. This information is included in Exhibit 7.

**BIO-18:** The Designated Biologist/Biological Monitors provide monthly documentation on implementation of California Red-Legged Frog impact avoidance and minimization measures during the reporting period. This information is included in Exhibit 7.

**CIVIL-1:** Documentation of CBO approval letters submitted during the reporting period is provided in Exhibit 4.

**CIVIL-3:** Documentation of all inspection non-conformance reports during the reporting period is provided in Exhibit 4.

**CIVIL-4:** Documentation of CBO approval letters submitted during the reporting period is provided in Exhibit 4.

**COMPLIANCE-5:** An updated compliance matrix is provided in Exhibit 10.

**COMPLIANCE-6:** This MCR conforms to and satisfies the Conditions of Certification.

**CUL-5:** During the reporting period zero (0) personnel received Worker Environmental Awareness Program training on site. The total number of personnel trained to date is 126. Documentation of worker training records for the reporting period is included in Exhibit 8.

**CUL-6:** DPR 523A forms, as they occur, and the Cultural Resources Specialist's summary of activities for the reporting period are included in Exhibit 7.

Record - Subsequent to an October 4, 2011 request from the CRS (Clint Helton), on October 27, 2011 and re-confirmed on February 16, 2012, the CEC staff waived the need for future daily email reports of monitoring activities.

**ELEC-1:** Documentation of transmittal of electrical construction design review and approval by the CBO during the reporting period is included in Exhibit 4.

**GEN-2:** A project schedule update is included in Exhibit 1.

**GEN-3:** Documentation of fee payment to the CBO and CBO receipt of payment during the reporting period is included in Exhibit 5.

**GEN-5:** Documentation of CBO approval of responsible mechanical and electrical engineers during the reporting period is included in Exhibit 4.

**GEN-6:** Documentation of CBO approval of all special inspectors during the reporting period is included in Exhibit 4.

**GEN-7:** Documentation of CBO approval of corrective action to resolve any design and/or construction discrepancy during the reporting period is included in Exhibit 4.

**GEN-8:** Documentation of: 1) notices of completed work ready for CBO inspection, and 2) signed CBO statement that work conforms to final approval plans during the reporting period is included in Exhibit 4.

**MECH-1:** Document of CBO inspection approvals during the reporting period is included in Exhibit 4.

**MECH-2:** Document of CBO and/or Cal OSHA inspection approvals during the reporting period is included in Exhibit 4.

**PAL-4:** During the reporting period zero (0) personnel received Worker Environmental Awareness Program training on site. The total number of personnel trained to date is 126. Documentation of worker training records for the reporting period is included in Exhibit 8.

**PAL-5:** The Paleontological Resource Specialist's summary of activities for the reporting period is included in Exhibit 7.

**SOIL & WATER-1: F**ollowing 14-day prior notification to the CEC, DuPont took ownership of soil stockpile No. 3 on November 10, 2012. Documents were included in MCR 16, Exhibit 6.

**SOIL & WATER-1:** Documentation of the effectiveness of drainage, erosion and sediment control measures, and the results of monitoring and maintenance activities during the reporting period is included in Exhibit 6.

**SOIL & WATER-6:** Documentation of the effectiveness of drainage, erosion and sediment control measures, and the results of monitoring and maintenance activities pertaining to Wetland E during the reporting period is included in Exhibit 6.

**STRUC-1:** Documentation of CBO approval of structural plans, specifications, and calculations during the reporting period is included in Exhibit 4.

**STRUC-3:** Documentation of CBO approval of revised plans during the reporting period is included in Exhibit 4.

**STRUC-4:** Documentation of CBO approval of inspections during the reporting period is included in Exhibit 4.

**TRANS-4:** During the reporting period no project-specific traffic related permits were obtained. Documentation that required permits were obtained, as needed, during the reporting period is included in Exhibit 4.

**TSE-1:** Documentation of submittal of a construction schedule and updates to the CBO during the reporting period is included in Exhibit 4.

**TSE-4:** Documentation of submittal of final design plans, specifications and calculations to the CBO during the reporting period is included in Exhibit 4.

**WASTE-7:** Documentation of new or revised hazardous waste generation notifications or changes in the generator identification number during the reporting period is included in Exhibit 5.

**WORKER SAFETY-3:** Documentation of: 1) employees trained, 2) safety management actions and safety-related incidents, 3) unresolved situation and incidents that may pose a danger to life and health, and 4) reports of accidents and injuries during the reporting period is included in Exhibit 9.

**Submittal Deadlines (COMPLIANCE-6, 5)**

No submittal deadlines were missed during the reporting period.

**Approved Changes to Conditions of Certification (COMPLIANCE-6, 6)**

No changes to conditions during the reporting period.

Record – Amendment No. 1 to the Commission Decision for additional laydown yard/parking area approved on October 25, 2011.

**Filings Submitted To or Permits Issued by Other Governmental Agencies (COMPLIANCE-6, 7)**

No filings submitted or permits issued during the reporting period.

**Projected Compliance Activities for: December 2012 and January 2013 (COMPLIANCE-6, 8)**

The following compliance activities are projected for the reporting periods:

- Adhere to Conditions of Certification, defined herein, that require monthly activities and/or per event submittals.
- Conduct WEAP/Safety Orientations as needed for contract personnel.
- BIO-2: Conduct biological resources monitoring as needed for relocation of DWD underground 24-inch potable water pipeline and PG&E alternate power feed.
- COMPLIANCE-5 and -6: Submit MCR and compliance matrix to the CEC.
- CUL-6: Conduct cultural resources monitoring as needed for relocation of DWD underground 24-inch potable water pipeline and PG&E alternate power feed.
- PAL-5: Conduct paleontological resources monitoring as needed for relocation of DWD underground 24-inch potable water pipeline and PGE&E alternate power feed.
- Facilitate monthly CEC/CBO staff site inspections, when they occur.

### Listing of Additions to Onsite Compliance Files (COMPLIANCE-6, 9)

Copies of the documents included in MCR exhibits will be added to the onsite compliance files.

### Listing of Complaints, NOV, Official Warnings and Citations (COMPLIANCE-6, 10)

No complaints, NOV, official warnings or citations were issued or received during the reporting period.

# EXHIBIT 1

# PROJECT SCHEDULE

**PROJECT SCHEDULE (COMPLIANCE-6, 1)**

The Project Schedule will be updated pending close of financing.

# EXHIBIT 2

# KEY EVENTS LIST

# KEY EVENTS LIST

**PROJECT:** Oakley Generating Station

**DOCKET No.:** 09-AFC-4

**COMPLIANCE PROJECT MANAGER:** Craig Hoffman

| EVENT DESCRIPTION | DATE |
|---|---|
| CEC Decision Date | May 18, 2011 |
| Obtain Site Control | December 2008 |
| Online Date | TBD |
| **POWER PLANT SITE ACTIVITIES** | |
| Start Site Mobilization | June 2011 |
| Start Ground Disturbance | June 2011 |
| Start Grading | July/August 2011 |
| Start Construction | June 2011 |
| Begin Pouring Major Foundation Concrete | TBD |
| Begin Installation of Major Equipment | TBD |
| Completion of Installation of Major Equipment | TBD |
| First Combustion of Gas Turbine | TBD |
| Obtain Building Occupation Permit | TBD |
| Start Commercial Operation | TBD |
| Complete All Construction | TBD |
| **TRANSMISSION LINE ACTIVITIES** | |
| Start T/L Construction | TBD |
| Synchronization with Grid and Interconnection | TBD |
| Complete T/L Construction | TBD |
| **FUEL SUPPLY LINE ACTIVITIES** | |
| Start Gas Pipeline Construction and Interconnection | TBD |
| Complete Gas Pipeline Construction | TBD |
| **WATER SUPPLY LINE ACTIVITIES** | |
| Start Water Supply Line Construction | TBD |
| Complete Water Supply Line Construction | TBD |

Note: Due to the dynamic nature of a large-scale construction project, key event dates are subject to change. TBD = To be determined.

# EXHIBIT 3

# CONSTRUCTION PHOTOGRAPHS

**Note:** See Exhibits 6 and 7 for site photos attached to the weekly SWPPP Visual Inspection Field Log Sheets and resource specialists' reports, respectively.

# EXHIBIT 4

# CONSTRUCTION PROGRESS REPORT

## CONSTRUCTION PROGRESS REPORT

### Site

- Completed weekly SWPPP BMP inspections.
- Prepared MCR for CEC CPM.
- Assisted and continued with development of package to have DWD underground 24-inch potable water pipeline relocated.
- Assisted and continued with development of package to install PG&E alternate power feed for site construction.

### Installation

- None

### Specifications

- None

### Administrative

- CCGS continued establishment of site office.

### Civil/Structural

- None

### Mechanical

- None

### Electrical

- None

### Transmission Line

- None

# EXHIBIT 5

## CORRESPONDENCE / FILINGS ISSUED OR SUBMITTED TO OR BY, OR PERMITS ISSUED BY, OTHER GOVERNMENTAL AGENCIES

# EXHIBIT 6

# AQCMM REPORT, SWPPP INSPECTIONS, AND WETLAND E REPORT

# Oakley Generation Station Project

## AQ-SC5 Diesel Fuel Equipment Tracking Log (2012)

| Inspection Sticker ID | Contractor | Manufacturer | Model No. | Equip Serial No. | Engine Family No. | HP | Engine Year | TIER 1-4 | CARB ORDV Sticker Y/N | Date Received | Date Removed |
|---|---|---|---|---|---|---|---|---|---|---|---|
| ALB02 | ALB | John Deere | 210LJ | T0210LJ890070 | 8JDXL06.8106 | 100 | NA | 3 | Y | 30-Jan-12 | 28-Mar-12 |
| ALB01 | ALB | Ford | L8000 | 1FTXR82A2JVA25818 | JFM07.8FPE3 | 240 | NA | 3 | Y | 7-Feb-12 | 7-May-12 |
| ALB03 | ALB | Caterpillar | 312D | 2797527 | G32E0-120 | 67 | NA | 3 | Y | 8-Feb-12 | 15-Feb-12 |
| ALB02 | ALB | John Deere | 210LJ | T0210LJ890070 | 8JDXL06.8106 | 100 | NA | 3 | Y | 16-Apr-12 | 25-Apr-12 |
| ALB02 | ALB | John Deere | 210LJ | T0210LJ890070 | 8JDXL06.8106 | 100 | NA | 3 | Y | 28-Jun-12 | 4-Jul-12 |
| ALB01 | ALB | Ford | L8000 | 1FTXR82A2JVA25818 | JFMO7.8FPE3 | 240 | NA | 3 | Y | 6-Jul-12 | 6-Jul-12 |

## Risk Level 1
## Visual Inspection Field Log Sheet

| | |
|---|---|
| Date and Time of Inspection: 11/1/12 1045 hr | Report Date: 11/1/12 |

| Inspection Type: | ☒ Weekly | ☐ Before predicted rain | ☐ During rain event | ☒ Following qualifying rain event | ☐ Contained stormwater release | ☐ Quarterly non-stormwater |
|---|---|---|---|---|---|---|

### Site Information

| | |
|---|---|
| Construction Site Name: Oakley Generating Station Project | |
| Construction stage and completed activities: Maintain SWPPP | Approximate area of exposed site: 22 ac. |

### Weather and Observations

| | | | |
|---|---|---|---|
| Date Rain Predicted to Occur: 10/31-11/1/12 | | Predicted % chance of rain: 60 | |
| Estimate storm beginning: 10/31 PM (date and time) | Estimate storm duration: 24 (hours) | Estimate time since last storm: 10/22/12 (days or hours) | Rain gauge reading: 0.4 (inches) |

Observations: If yes identify location

| | | |
|---|---|---|
| Odors | Yes ☐ | No ☒ |
| Floating material | Yes ☐ | No ☒ |
| Suspended Material | Yes ☐ | No ☒ |
| Sheen | Yes ☐ | No ☒ |
| Discolorations | Yes ☐ | No ☒ |
| Turbidity | Yes ☐ | No ☒ |

### Site Inspections

| Outfalls or BMPs Evaluated | Deficiencies Noted |
|---|---|
| (add additional sheets or attached detailed BMP Inspection Checklists) | |
| Dust control / track-out control | None Required |
| De-watering / concrete washout | |
| | |

| | | | |
|---|---|---|---|
| Photos Taken: | Yes ☐ | No ☒ | Photo Reference IDs: |

### Corrective Actions Identified (note if SWPPP/REAP change is needed)

### Inspector Information

| | |
|---|---|
| Inspector Name: Zenit Wallay | Inspector Title: Env. Compl. Mngr. |
| Signature: | Date: 11/1/12 |

## Risk Level 1
## Visual Inspection Field Log Sheet

| | |
|---|---|
| Date and Time of Inspection: 11/8/12 0930 hr | Report Date: 11/8/12 |

| Inspection Type: | ☒ Weekly | ☒ Before predicted rain | ☐ During rain event | ☐ Following qualifying rain event | ☐ Contained stormwater release | ☐ Quarterly non-stormwater |
|---|---|---|---|---|---|---|

### Site Information

| | |
|---|---|
| Construction Site Name: Oakley Generating Station Project | |
| Construction stage and completed activities: Maintain SWPPP | Approximate area of exposed site: 22 |

### Weather and Observations

| | | | |
|---|---|---|---|
| Date Rain Predicted to Occur: 11/8/12 | | Predicted % chance of rain: 40 | |
| Estimate storm beginning: 11/8/12 (date and time) | Estimate storm duration: 24-48 (hours) | Estimate time since last storm: 10/31/12 (days or hours) | Rain gauge reading: Ø (inches) |

Observations: If yes identify location

| | | |
|---|---|---|
| Odors | Yes ☐ | No ☒ |
| Floating material | Yes ☐ | No ☒ |
| Suspended Material | Yes ☐ | No ☒ |
| Sheen | Yes ☐ | No ☒ |
| Discolorations | Yes ☐ | No ☒ |
| Turbidity | Yes ☐ | No ☒ |

### Site Inspections

| Outfalls or BMPs Evaluated | Deficiencies Noted |
|---|---|
| (add additional sheets or attached detailed BMP Inspection Checklists) | |
| Dust control / track-out control | None Required |
| De-watering / concrete washout | |
| | |

| Photos Taken: | Yes ☐ | No ☐ | Photo Reference IDs: |
|---|---|---|---|

### Corrective Actions Identified (note if SWPPP/REAP change is needed)

### Inspector Information

| | |
|---|---|
| Inspector Name: Ferris Walley | Inspector Title: Env. Compl. Mgr. |
| Signature: | Date: 11/8/12 |

## Risk Level 1
## Visual Inspection Field Log Sheet

| | | | | | | |
|---|---|---|---|---|---|---|
| Date and Time of Inspection: 11/13/12 1030 hrs | | | | Report Date: 11/13/12 | | |
| Inspection Type: | ☐ Weekly | ☐ Before predicted rain | ☐ During rain event | ☒ Following qualifying rain event | ☐ Contained stormwater release | ☐ Quarterly non-stormwater |

### Site Information

| | |
|---|---|
| Construction Site Name: Oakley Generating Station Project | |
| Construction stage and completed activities: Maintain SWPPP | Approximate area of exposed site: 22 ac. |

### Weather and Observations

| | | | |
|---|---|---|---|
| Date Rain Predicted to Occur: 11/8/12 | | Predicted % chance of rain: 40 | |
| Estimate storm beginning: 11/8/12 PM (date and time) | Estimate storm duration: 24-48 (hours) | Estimate time since last storm: 10/31 (days or hours) | Rain gauge reading: 0.2 (inches) |

Observations: If yes identify location

| | | |
|---|---|---|
| Odors | Yes ☐ | No ☒ |
| Floating material | Yes ☐ | No ☒ |
| Suspended Material | Yes ☐ | No ☒ |
| Sheen | Yes ☐ | No ☒ |
| Discolorations | Yes ☐ | No ☒ |
| Turbidity | Yes ☐ | No ☒ |

### Site Inspections

| Outfalls or BMPs Evaluated | Deficiencies Noted |
|---|---|
| (add additional sheets or attached detailed BMP Inspection Checklists) | |
| Dust control / track-out control | None Required |
| De-watering / concrete washout | |
| | |

| | | | |
|---|---|---|---|
| Photos Taken: | Yes ☐ | No ☒ | Photo Reference IDs: |

### Corrective Actions Identified (note if SWPPP/REAP change is needed)

### Inspector Information

| | |
|---|---|
| Inspector Name: Eric Watley | Inspector Title: Env. Compl. Mgr. |
| Signature: | Date: 11/13/12 |

## Risk Level 1
## Visual Inspection Field Log Sheet

| | |
|---|---|
| Date and Time of Inspection: 11/15/12 1030 hr | Report Date: 11/15/12 |

| Inspection Type: | ☒ Weekly | ☒ Before predicted rain | ☐ During rain event | ☐ Following qualifying rain event | ☐ Contained stormwater release | ☐ Quarterly non-stormwater |
|---|---|---|---|---|---|---|

### Site Information

| | |
|---|---|
| Construction Site Name: Oakley Generating Station Project | |
| Construction stage and completed activities: Maintain SWPPP | Approximate area of exposed site: 22 ac. |

### Weather and Observations

| | | | |
|---|---|---|---|
| Date Rain Predicted to Occur: 11/15-18/12 | | Predicted % chance of rain: 50-80 | |
| Estimate storm beginning: 11/15/12 PM (date and time) | Estimate storm duration: 48-72 (hours) | Estimate time since last storm: 10/31 (days or hours) | Rain gauge reading: 0 (inches) |

Observations: If yes identify location

| | | |
|---|---|---|
| Odors | Yes ☐ | No ☒ |
| Floating material | Yes ☐ | No ☒ |
| Suspended Material | Yes ☐ | No ☒ |
| Sheen | Yes ☐ | No ☒ |
| Discolorations | Yes ☐ | No ☒ |
| Turbidity | Yes ☐ | No ☒ |

### Site Inspections

| Outfalls or BMPs Evaluated | Deficiencies Noted |
|---|---|
| (add additional sheets or attached detailed BMP Inspection Checklists) | |
| Dust control / track-out control | None Required |
| De-watering / concrete washout | |
| | |

| | | | |
|---|---|---|---|
| Photos Taken: | Yes ☐ | No ☒ | Photo Reference IDs: |

### Corrective Actions Identified (note if SWPPP/REAP change is needed)

### Inspector Information

| | |
|---|---|
| Inspector Name: Zenis Walley | Inspector Title: Env. Compl. Mgr |
| Signature: | Date: 11/15/12 |

## *Risk Level 1*
## *Visual Inspection Field Log Sheet*

| | |
|---|---|
| Date and Time of Inspection: 11/21/12 0900hr | Report Date: 11/21/12 |

| Inspection Type: | ☒ Weekly | ☐ Before predicted rain | ☒ During rain event | ☒ Following qualifying rain event | ☐ Contained stormwater release | ☐ Quarterly non-stormwater |
|---|---|---|---|---|---|---|

### Site Information

| | |
|---|---|
| Construction Site Name: Oakley Generating Station Project | |
| Construction stage and completed activities: Maintain SWPPP | Approximate area of exposed site: 22 ac |

### Weather and Observations

| | |
|---|---|
| Date Rain Predicted to Occur: 11/20/12 | Predicted % chance of rain: 20-60 |

| Estimate storm beginning: 11/20 PM (date and time) | Estimate storm duration: 24 (hours) | Estimate time since last storm: 11/15/12 (days or hours) | Rain gauge reading: 1.2 (inches) |
|---|---|---|---|

Observations: If yes identify location

| | | |
|---|---|---|
| Odors | Yes ☐ | No ☒ |
| Floating material | Yes ☐ | No ☒ |
| Suspended Material | Yes ☐ | No ☒ |
| Sheen | Yes ☐ | No ☒ |
| Discolorations | Yes ☐ | No ☒ |
| Turbidity | Yes ☐ | No ☒ |

### Site Inspections

| Outfalls or BMPs Evaluated | Deficiencies Noted |
|---|---|
| (add additional sheets or attached detailed BMP Inspection Checklists) | |
| Dust control / track-out control | None Required |
| De-watering / concrete washout | |
| | |

| Photos Taken: | Yes ☐ | No ☒ | Photo Reference IDs: |
|---|---|---|---|

### Corrective Actions Identified (note if SWPPP/REAP change is needed)

### Inspector Information

| | |
|---|---|
| Inspector Name: Zenis Walley | Inspector Title: Env. Compl. Mngr. |
| Signature: Z Walley | Date: 11/21/12 |

## *Risk Level 1*
## *Visual Inspection Field Log Sheet*

| | | | | | | |
|---|---|---|---|---|---|---|
| Date and Time of Inspection: 11/27/12 1100 hr | | | | Report Date: 11/27/12 | | |
| Inspection Type: | ☐ Weekly | ☒ Before predicted rain | ☐ During rain event | ☐ Following qualifying rain event | ☐ Contained stormwater release | ☐ Quarterly non-stormwater |

### Site Information

| | |
|---|---|
| Construction Site Name: | Oakley Generating Station Project |
| Construction stage and completed activities: | Maintain SWPPP |
| Approximate area of exposed site: | 22 ac. |

### Weather and Observations

| | | | |
|---|---|---|---|
| Date Rain Predicted to Occur: 11/27 - 12/1 | | Predicted % chance of rain: 20-80 | |
| Estimate storm beginning: 11/27 PM (date and time) | Estimate storm duration: 96 (hours) | Estimate time since last storm: 11/20 (days or hours) | Rain gauge reading: 0 (inches) |

Observations: If yes identify location

| | | |
|---|---|---|
| Odors | Yes ☐ | No ☒ |
| Floating material | Yes ☐ | No ☒ |
| Suspended Material | Yes ☐ | No ☒ |
| Sheen | Yes ☐ | No ☒ |
| Discolorations | Yes ☐ | No ☒ |
| Turbidity | Yes ☐ | No ☒ |

### Site Inspections

| Outfalls or BMPs Evaluated | Deficiencies Noted |
|---|---|
| (add additional sheets or attached detailed BMP Inspection Checklists) | |
| Dust control / track-out control | None Required |
| De-watering / concrete washout | |
| | |

| | | | |
|---|---|---|---|
| Photos Taken: | Yes ☐ | No ☒ | Photo Reference IDs: |

### Corrective Actions Identified (note if SWPPP/REAP change is needed)

### Inspector Information

| | |
|---|---|
| Inspector Name: Zenia Walley | Inspector Title: Env. Compl. Mgr. |
| Signature: | Date: 11/27/12 |

**OAKLEY GENERATING STATION PROJECT (09-AFC-4)**

# SWPPP Training Log

Date: 11 / 29 / 12

| Description of Orientation Topics: | Instructor(s): |
|---|---|
| Sampling strategy; measuring sediment pollution; use of turbidimeter; sampling of total petroleum hydrocarbons | Geo Graening, QSD/QSP |

**Note:** This training meets the requirements of SWPPP, Section 5 Training, General Permit, Section VII, Training Qualifications and Certification Requirements - Attachment A, Section H. Training Qualifications, and Section J. Inspection, Maintenance and Repair, and CEC Condition SOIL & WATER-2. By signing below, the attendee(s) indicate that he/she understand and shall abide by the guidelines set forth in the SWPPP material. This completed training from is included in the SWPPP Annual Report.

**Attendees**

| No. | Name (Print) | Signature | Title/Craft | Company |
|---|---|---|---|---|
| 1 | Zenis Walley | | Env. Compl. Mgr. | CCGS |
| 2 | Greg Lumsberg | | SVP | CCGS |
| 3 | Rick Crowe | | D. Biologist | CH |
| 4 | | | | |
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## Risk Level 1
## Visual Inspection Field Log Sheet

| | | | | | | |
|---|---|---|---|---|---|---|
| Date and Time of Inspection: 12:30 pm Nov. 29 2012 | | | | Report Date: Nov. 29, 2012 | | |
| Inspection Type: | ☐ Weekly | ☐ Before predicted rain | ☐ During rain event | ☐ Following qualifying rain event | ☐ Contained stormwater release | ☒ Quarterly non-stormwater |

### Site Information

| | |
|---|---|
| Construction Site Name: | Oakley Generating Station Project |
| Construction stage and completed activities: SWPPP maintenance | Approximate area of exposed site: 22 acres |

### Weather and Observations

| | | | |
|---|---|---|---|
| Date Rain Predicted to Occur: | | Predicted % chance of rain: during ongoing storm | |
| Estimate storm beginning: _____ (date and time) | Estimate storm duration: _____ (hours) | Estimate time since last storm: _____ (days or hours) | Rain gauge reading: _____ (inches) |

Observations: If yes identify location

| | | |
|---|---|---|
| Odors | Yes ☐ | No ☒ |
| Floating material | Yes ☐ | No ☒ |
| Suspended Material | Yes ☐ | No ☒ |
| Sheen | Yes ☐ | No ☒ |
| Discolorations | Yes ☐ | No ☒ |
| Turbidity | Yes ☐ | No ☒ |

### Site Inspections

| Outfalls or BMPs Evaluated | Deficiencies Noted |
|---|---|
| (add additional sheets or attached detailed BMP Inspection Checklists) | |
| Dust control / track-out control | |
| De-watering / concrete washout | |
| | |

| | | | |
|---|---|---|---|
| Photos Taken: | Yes ☒ | No ☐ | Photo Reference IDs: |

### Corrective Actions Identified (note if SWPPP/REAP change is needed)

none needed

### Inspector Information

| | |
|---|---|
| Inspector Name: G. D. Graening | Inspector Title: QSD |
| Signature: [signature] | Date: 11/29/12 |

## *Risk Level 1*
## *Visual Inspection Field Log Sheet*

| | |
|---|---|
| Date and Time of Inspection: 11/29/12 1030 hr | Report Date: 11/29/12 |

| Inspection Type: | ☒ Weekly | ☒ Before predicted rain | ☒ During rain event | ☒ Following qualifying rain event | ☐ Contained stormwater release | ☐ Quarterly non-stormwater |
|---|---|---|---|---|---|---|

### Site Information

| | |
|---|---|
| Construction Site Name: Oakley Generating Station Project | |
| Construction stage and completed activities: Maintain SWPPP | Approximate area of exposed site: 22 ac. |

### Weather and Observations

| | | | |
|---|---|---|---|
| Date Rain Predicted to Occur: 11/27 - 12/1 | | Predicted % chance of rain: | |
| Estimate storm beginning: 11/27 PM (date and time) | Estimate storm duration: 9/6 (hours) | Estimate time since last storm: 11/22 (days or hours) | Rain gauge reading: 0.5 (inches) |

Observations: If yes identify location

| | | |
|---|---|---|
| Odors | Yes ☐ | No ☒ |
| Floating material | Yes ☐ | No ☒ |
| Suspended Material | Yes ☐ | No ☒ |
| Sheen | Yes ☐ | No ☒ |
| Discolorations | Yes ☐ | No ☒ |
| Turbidity | Yes ☐ | No ☒ |

### Site Inspections

| Outfalls or BMPs Evaluated | Deficiencies Noted |
|---|---|
| (add additional sheets or attached detailed BMP Inspection Checklists) | |
| Dust control / track-out control | None Required. |
| De-watering / concrete washout | |
| | |

| | | | |
|---|---|---|---|
| Photos Taken: | Yes ☐ | No ☐ | Photo Reference IDs: |

### Corrective Actions Identified (note if SWPPP/REAP change is needed)

### Inspector Information

| | |
|---|---|
| Inspector Name: Zenia Watson | Inspector Title: Env. Compl. Mgr. |
| Signature: | Date: 11/29/12 |

# Wetland E Water Depth and Precipitation Data – November 2012

PREPARED FOR: Contra Costa Generating Station LLC

PREPARED BY: Keith McGregor
Rick Crowe
Ben Beattie

DATE: December 7, 2012

## Introduction

A water depth monitor and rain gauge were installed for the Oakley Generating Station project on November 24, 2010. The monitors were installed to establish the pre-construction hydrology for Wetland E. A Level Troll 500 water depth monitor was placed on the bottom surface of Wetland E and a Texas Electronics tipping bucket rain gauge was installed within the secured area of the DuPont facility. The Level Troll 500 was programmed to record the average depth of the wetland in inches every 15 minutes. A Campbell Scientific CR200X was programmed to record the rainfall data in inches every 5 minutes and summarize the hourly rainfall totals at the top of each hour. On July 23, 2012, the Campbell Scienfitic CR200x data logger was programmed to also record the rainfall every 15 minutes.

The purpose of this document is to:

- Report the rainfall totals and water depths for the month of November,
- Report maintenance and site visit activities conducted during the month, and
- Provide a plot of the rainfall and water depth measurements for November.

## Data Summary

A total of 2.27 inches of rainfall was recorded during the month of November.[1] The average water depth during this timeframe was 1.7 inches. A plot of the rainfall and Wetland E water depth data is shown in Figure 1.

## Maintenance and Site Visit Activity

A data download and site inspection was conducted on November 29, 2012. The site visit notes are included as an attachment to this technical memorandum. Maintenance activities were not required for the monitors during the month of November. All data records downloaded for the month of November are considered valid. Table 1 contains a summary of the site visit activities during the reporting period. Site photographs are provided in Figure 2.

[1] As noted in the October report, rainfall was forecasted to occur between noon and midnight on October 31, 2012. Additional rainfall did occur on October 31. Therefore, the revised total rainfall for the month of October 2012 is 0.72 inches. The data download was completed at approximately noon on November 29, 2012. Rainfall was forecasted to occur for the remainder of November 29 and 30. Any rainfall that occurs after the download will be reported in the December 2012 Wetland E Water Depth and Precipitation Data report.

TABLE 1
Site Visit Activity
*Wetland E Hydrology Monitoring Program*

| Date | Time (PDT) | Operator* | Activity | Notes |
|---|---|---|---|---|
| 11/29/2012 | 12:05 pm – 12:40 pm | RC | Data Download and Site Maintenance | NA |

* RC = Rick Crowe

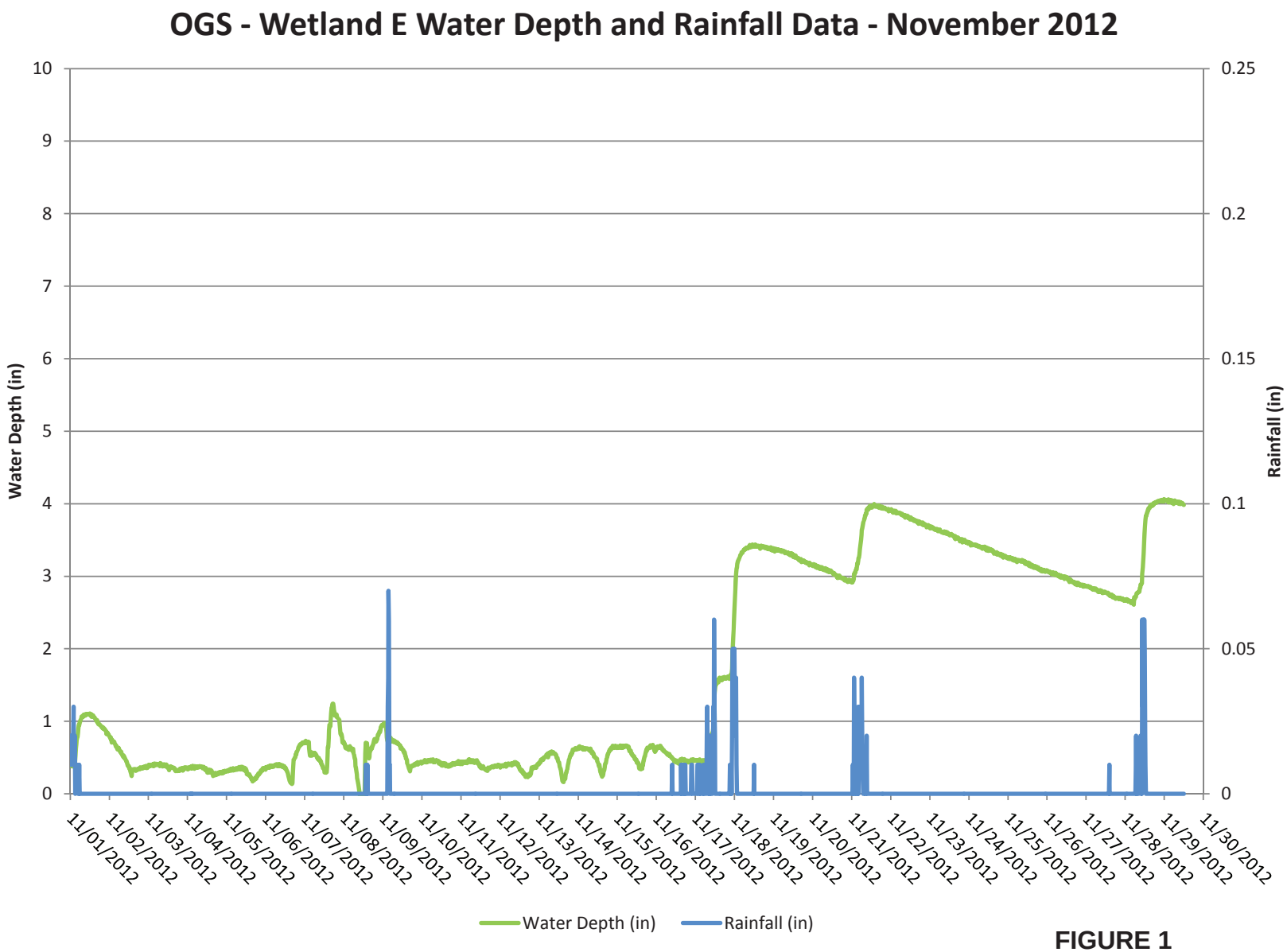


**FIGURE 1**
**Wetland E – November 2012**
Oakley Generating Station
*Oakley, California*

Wetland E View Looking East, October 31, 2012

Wetland E View Looking East, November 29, 2012

**FIGURE 2**
**Wetland E Photos – November 2012**
Oakley Generating Station
*Oakley, California*

# OGS Wetland E Site Visit Notes for November 29, 2012

TO: CCGS LLC

FROM: Rick Crowe

DATE: December 4, 2012

**Date of Site Visit:** November 29, 2012

**Reason for Site Visit:** Monthly data download and site inspection.

## WATER DEPTH MONITOR

Arrival at wetland: 12:05 pm (PST)
Visual Inspection: everything looked OK/normal
Desiccant: indicator color is purple

- Connected at: 12:06 pm (PST)
  - Delta Time: data logger approximately 1 minute 20 seconds slower than PC (did not reset)
  - Water depth: 3.966 inches
  - Temperature: 11.558 Celsius
  - Pressure: 0.143 PSI
  - Conducted a data download at 12:07 pm (PST)
- Disconnected and departed site at 12:15 pm (PST)

Took a picture of the wetland with the water depth monitor location in the foreground looking east. Also walked around the perimeter, no unusual observations noted during the site walk.

## RAIN GAUGE

Arrival at the rain gauge: 12:28 pm (PST)
Visual Inspection: Everything looked OK/normal

- Connected at: 12:29 pm (PST)
  - Battery Voltage: 13.57 Volts
  - Conducted a data download
  - Delta Time: datalogger approximately 2 minutes 33 seconds ahead of PC clock (did not reset)
- Disconnected at: 12:34 pm (PST)

Cleaned solar panel and departed ~12:40 pm (PST)

**No modifications were made to the water depth monitor and no manual rain gauge bucket tips occurred during the site visit. Therefore, no data records were invalidated by the site visit.**

# EXHIBIT 7

# BIOLOGICAL / CULTURAL / GEOLOGICAL & PALEONTOLOGICAL REPORTS

# Biological Resources

# Mitigation Monitoring for the

# Oakley Generating Station Project

## MONTHLY COMPLIANCE REPORT (BIO-2)

**November 2012**

**Prepared by:**

**CH2M HILL**

**2485 Natomas Park Drive, Suite 600**

**Sacramento, California 95833**

# Oakley Generating Station

# MONTHLY COMPLIANCE REPORT

## November 2012

## TABLE OF CONTENTS

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MONITORED MITIGATION MEASURES AND PERMIT CONDITIONS ..... 3
SUMMARY OF ACTIVITIES ..... 5
WORKER ENVIRONMENTAL AWARENESS TRAINING ..... 5
GENERAL DAILY NOTES AND OBSERVATIONS ..... 5

**APPENDICES**

**A)** Cumulative Wildlife Species Observed in or Near the Project Area

**B)** Site Photos

# INTRODUCTION

The Oakley Generating Station (OGS) project will be a combined-cycle, natural-gas-fired power plant owned by Contra Costa Generating Station LLC (CCGS LLC). The project site is located in Oakley, California (eastern Contra Costa County) at 5950 Bridgehead Road in the northwestern quarter of Section 22, Township 2 North, Range 2 East, Mount Diablo Base Meridian.

The project site consists of 21.95 acres of which 13.9 acres were in agricultural production as a vineyard, 1.6 acres are the conservation easement for Wetland E, 3.0 acres are ruderal cover, 0.6 acre is non-native woodland, and 2.8 acres are paved surface. The construction laydown areas consist of 13.2 acres of barren ground and ruderal vegetation, and a 6.5-acre paved area. The three soil stockpile areas consist of stockpile 1, which is 2.2 acres of existing paved surface, and stockpiles 2 and 3, which are 2.7 acres and 2.3 acres respectively of ruderal grassland. In addition, temporary access roads are required to reach the soil stockpile areas, which consist of 2.3 acres of paved area and 0.2 acre of ruderal grassland. The project site is located within the boundary of an existing 210-acre site owned by DuPont.

On September 15, 2011, CCGS submitted an amendment to the California Energy Commission (CEC) and to the East Contra Costa County Habitat Conservancy (Conservancy) to amend the following changes to the OGS project description:

- Include an additional 4.64-acre temporary construction laydown/parking area adjacent to the OGS power block.
- Include an additional 0.56-acre area between 5th Street and Stockpile 1 to provide an alternate access to the OGS site and for construction vehicle staging.
- Remove four additional eucalyptus trees on the eastern edge of the power block site to allow construction of a permanent access road along the eastern edge of the OGS site.
- Trim the eucalyptus grove within the project boundary to allow room to grade and install the required bio-swales.
- Trim additional trees and possibly remove dead trees along the existing eucalyptus grove within the existing construction laydown area for worker safety.

Final approvals of the proposed changes were given by the CEC on October 25, 2011, and the Conservancy on October 27, 2011.

DuPont Engineering notified CCGS in a letter dated October 26, 2012, that effective on November 10, 2012, DuPont assumed all responsibility to maintain soil stockpile 3 in accordance with the approved Soil Stockpile Best Management Practices (BMP) Plan. CCGS notified the CEC of the transfer of responsibility on October 26, 2012, and on October 28, 2012, the CEC Compliance Project Manager acknowledged receipt of DuPont's October 26 letter as a sufficient notice of the transfer. As of November 10, 2012, monitoring by CCGS of the 2.3-acre soil stockpile area 3 and its 0.5-acre access road is no longer required.

## MONITORED MITIGATION MEASURES AND PERMIT CONDITIONS

Mitigation measures for the OGS project site were developed through consultation with the CEC and the Conservancy. Documentation of compliance with the agency permits will be included in this report when applicable.

Conditions of Certification (COC) BIO 1-8 were in compliance during the month of November 2012. The following COC require specific language be included in each monthly compliance report; therefore, they are addressed separately below.

BIO-9, nesting migratory bird mitigation measures such as pre-disturbance surveys, worker participation in the WEAP program and weekly/daily site visits by the Designated Biologist insured that OGS project was in compliance with BIO-9 during the month of November 2012.

BIO-10, bat species impact and avoidance minimization measures included pre-construction and pre-disturbance surveys prior to the removal of all trees and any new work in close proximity to trees or other bat holding structures. In addition, worker participation in the WEAP program and weekly/daily site visits by the Designated Biologist insured that the OGS project was in compliance with BIO-10 during the month of November 2012.

BIO-11, Swainson's hawk mitigation measures such as pre-disturbance surveys, worker participation in the WEAP program, and weekly/daily site visits by the Designated Biologist insured that the OGS project was in compliance with BIO-11 during the month of November 2012.

BIO-12, burrowing owl mitigation measures such as pre-disturbance surveys, worker participation in the WEAP program, and weekly/daily site visits by the Designated Biologist insured that the OGS project was in compliance with BIO-12 during the month of November 2012.

BIO-13, American badger impact and avoidance minimization measures such as pre-disturbance surveys, worker participation in the WEAP program, and weekly/daily site visits by the Designated Biologist insured that the OGS project was in compliance with BIO-13 during the month of November 2012.

BIO-14, San Joaquin kit fox avoidance minimizations measures such as pre-disturbance surveys, worker participation in the WEAP program, and weekly/daily site visits by the Designated Biologist insured that the OGS project was in compliance with BIO-14 during the month of November 2012.

BIO-15, western pond turtle impact and avoidance measures such as pre-disturbance surveys, worker participation in the WEAP program, and weekly/daily site visits by the Designated Biologist insured that the OGS project was in compliance with BIO-15 during the month of November 2012.

BIO-16, giant garter snake impact and avoidance measures such as pre-disturbance surveys, worker participation in the WEAP program, and weekly/daily site visits by the Designated Biologist insured that the OGS project was in compliance with BIO-16 during the month of November 2012.

BIO-17, California tiger salamander impact and avoidance measures such as pre-disturbance surveys, worker participation in the WEAP program, and weekly/daily site visits by the Designated Biologist insured that the OGS project was in compliance with BIO-17 during the month of November 2012.

BIO-18, California red-legged frog impact and avoidance measures such as pre-disturbance surveys, worker participation in the WEAP program, and weekly/daily site visits by the Designated Biologist insured that the OGS project was in compliance with BIO-18 during the month of November 2012.

## SUMMARY OF ACTIVITIES

This report provides a summary of the November 2012 project activities and associated biological monitoring. A cumulative wildlife species list is included in Appendix A. The Designated Biologist (DB) and Biological Monitor (BM) completed logs summarizing activities, personnel interactions, and observations made during each site visit. These logs are available on request.

### Site Construction

OGS project site activities during the month of November 2012 consisted of continued installation of the Best Management Practices (BMPs), dust control monitoring, and BMP repair when necessary.

## WORKER ENVIRONMENTAL AWARENESS TRAINING

The WEAP program was developed exclusively for the OGS project. Program materials include a handbook, video, posted speed limit signs and supporting posters. As required by COC BIO-5 from the CEC *Commission Decision*, all new employees must attend the WEAP program.

No new personnel received WEAP training in November; therefore the total number of employees trained to date remains at 126. A CCGS Safety and Compliance Manager as well as the OGS Designated Biologist and Biological Monitor administer the WEAP training to new employees. Signed affidavits are kept on file by the CCGS Safety and Compliance Manager. Construction hours for the month of November were from 0700 hours to 1730 hours, Monday through Friday.

## GENERAL DAILY NOTES AND OBSERVATIONS

**Daily biological monitoring was not required during the month of November. Project biological oversight was covered by the Designated Biologist (DB) Rick Crowe. The monitoring efforts for the month of November are documented below.**

**November 10th,** DuPont assumed all responsibility to maintain soil stockpile area 3 in accordance with the approved Soil Stockpile BMP Plan.

**November 29th,** the DB was on site to download data from the Wetland E water depth gauge and the onsite rain gauge and perform a compliance spot check. The DB inspected all areas that contained storm water BMPs and special attention was given to those areas that are adjacent to sensitive habitats. All storm water related BMPs were in place and functioning during this site visit; for more information on these observations see Photos 1 through 4, 6 through 10, and 13 through 16. Also during this site visit the DB observed a feral cat (*Felis catus*) passing through a

rip in the silt fencing on the western edge of Wetland E, as shown in Photos 11 and 12. The observed rips in the sediment fencing are primarily redundant in this area; however they will be repaired during follow-up site visits. Data download from the Wetland E depth monitor and the onsite rain gauge was successful. Additionally, the DB observed that PG&E was utilizing an access area along the eastern portion of the OGS site, as shown in Photo 5. This access area is delineated from the site by orange snow fencing to keep the unauthorized personnel off of the OGS site. The OGS project was in compliance during this site visit.

## Appendix A

# Cumulative Wildlife Species Observed in or Near the Project Area

| Cumulative Wildlife Species Observed in or Near the OGS Project Area | | |
|---|---|---|
| **Common Name** | **Scientific Name** | **Comments** |
| • **BIRDS** | | |
| Canada goose | *Branta canadensis* | Fly over |
| Mallard | *Anas platyrhynchos* | Fly over |
| American white pelican | *Pelecanus erythrorhynchos* | Fly over |
| Double-crested cormorant | *Phalacrocorax auritus* | Fly over |
| Great blue heron | *Ardea herodias* | Fly over |
| Great egret | *Ardea alba* | Fly over and Wetland E |
| Snowy egret | *Egretta thula* | Fly over |
| Green heron | *Butorides virescens* | Wetland E |
| Black-crowned night-heron | *Nycticorax nycticorax* | Fly over |
| Turkey vulture | *Cathartes aura* | Fly over |
| Osprey | *Pandion haliaetus* | Fly over |
| White-tailed kite | *Elanus leucurus* | Fly over |
| Northern harrier | *Circus cyaneus* | Fly over |
| Cooper's hawk | *Accipiter cooperii* | Fly over |
| Red-shouldered hawk | *Buteo lineatus* | Fly over |
| Red-tailed hawk | *Buteo jamaicensis* | Nest between laydown areas fledged 1 successfully 2011. New nest between laydown areas 2012. 1 juvenile observed May and June 2012, fledged 1 successfully 2012. |
| Swainson's hawk | *Buteo swainsoni* | Nest in redwood tree north of site fledged 2 successfully 2011. Pair observed north of site May and June 2012 displaying breeding behavior, however no nesting in 2012. |
| American kestrel | *Falco sparverius* | Fly over |
| Great horned owl | *Bubo virgiianus* | Nest in eucalyptus tree on site, successfully fledged 2 young 2011. Single individual observed in eucalyptus trees along northern edge of OGS project site, August and September 2012. |
| Barn owl | *Tyto alba* | Dead individual observed near Safety trailer, 11/8/10. |
| Sandhill crane | *Grus canadensis* | Fly over |
| Killdeer | *Charadrius vociferus* | Nest in laydown area and fly over 2011. |
| California gull | *Larus californicus* | Fly over. |
| Bonaparte's gull | *Larus philadelphia* | Fly over. |
| Caspian tern | *Hydroprogne caspia* | Fly over. |
| Forster's tern | *Limnodromus scolopaceus* | Fly over. |
| Common tern | *Sterna hirundo* | Fly over. |

| Cumulative Wildlife Species Observed in or Near the OGS Project Area | | |
|---|---|---|
| **Common Name** | **Scientific Name** | **Comments** |
| Rock pigeon (*Exotic*) | *Sterna fosteri* | Fly over. |
| Eurasian collared-dove (*Exotic*) | *Columba livia* | Fly over and nesting on site. Feather pile observed in Wetland E, 3/1/12. |
| Mourning dove | *Streptopelia decaocto* | Fly over |
| Anna's hummingbird | *Chaetura vauxi* | Fly over |
| Belted kingfisher | *Archilochus alexandri* | Fly over |
| Downy woodpecker | *Picoides pubescens* | Eucalyptus trees on site |
| Nuttall's woodpecker | *Picoides nuttallii* | Eucalyptus trees on site |
| Northern flicker | *Colaptes auratus* | Eucalyptus trees on site |
| Black phoebe | *Sayornis nigricans* | Fly over |
| Western kingbird | *Tyrannus verticalis* | Fly over |
| Loggerhead shrike | *Vireo cassinii* | Observed along southern border of project site 2011. |
| Western scrub-jay | *Aphelocoma californica* | Throughout project site. |
| Bullock's oriole | *Icterus bullockii* | Eucalyptus trees |
| American crow | *Corvus brachyrhynchos* | Throughout project site. |
| Common raven | *Corvus corax* | Throughout project site. |
| California quail | *Callipepla californica* | Throughout project site. |
| Tree swallow | *Tachycineta bicolor* | Throughout project site. |
| Northern rough-winged swallow | *Stelgidopteryx serripennis* | Throughout project site. |
| Barn swallow | *Hirundo rustica* | Throughout project site. |
| Meadowlark | *Sturnella neglecta* | Fly over |
| Bushtit | *Psaltriparus minimus* | Throughout project site. |
| Ruby-crowned kinglet | *Regulus calendula* | Fly over |
| American robin | *Turdus migratorius* | Fly over |
| Northern mockingbird | *Mimus polyglottos* | Throughout project site. |
| European starling (*Exotic*) | *Sturnus vulgaris* | Throughout project site. |
| Cedar waxwing | *Bombycilla cedrorum* | Fly over |
| Yellow-rumped warbler | *Dendroica coronata* | Fly over |
| Savannah sparrow | *Passerculus sandwichensis* | Fly over |
| Song sparrow | *Melospiza melodia* | Fly over |
| Golden-crowned sparrow | *Zonotrichia atricapilla* | Eucalyptus trees |
| White-crowned sparrow | *Zonotrichia leucophrys* | Nesting in trees on site |
| Dark-eyed junco | *Junco hyemalis* | Foraging in laydown area |
| Red-winged blackbird | *Agelaius phoeniceus* | Wetland E |
| | | |

| Cumulative Wildlife Species Observed in or Near the OGS Project Area | | |
|---|---|---|
| **Common Name** | **Scientific Name** | **Comments** |
| Brewer's blackbird | *Euphagus cyanocephalus* | Wetland E and one individual observed dead just off site 2011. |
| House finch | *Carpodacus mexicanus* | Nesting in trees on site. |
| House sparrow (*Exotic*) | *Passer domesticus* | Fly over. |
| **MAMMALS** | | |
| California vole | *Microtus californicus* | Throughout project site |
| Botta's pocket gopher | *Thomomys bottae* | Throughout project site. August 2011, 3 gophers captured and relocated, 1 individual killed during grading. |
| Coyote | *Canis latrans* | Numerous sightings on site. Two litters of pups observed summer 2012. |
| California ground-squirrel | *Spermophilus beecheyi* | Throughout project site |
| Fox squirrel | *Sciurus niger* | Eucalyptus trees |
| Striped skunk | *Mephitis mephitis* | Observed during night time surveys |
| Black tailed hare | *Lepus californicus* | Throughout project site |
| Raccoon | *Procyon lotor* | Throughout project site |
| *Feral cat | *Felis catus* | Throughout project site |
| **AMPHIBIANS AND REPTILES** | | |
| Pacific chorus tree frog | *Hyla regilla* | Wetland E and one individual observed within an existing vault on site. |
| Gopher snake | *Pituophis melanoleucus* | Observed 2 different individuals near Wetland E, 2011. August 2011 captured 2 gopher snakes and released off site, 1 individual killed during grading. |
| Western fence lizard | *Sceloporus occidentalis* | Laydown area, pipeline route and Energy Center footprint |

* Indicates new observance or additional information

## Appendix B
# Site Photos

Photo 1, south side of soil stockpile 2 with BMPs in place and functioning, 11/29/12.

Photo 2, Wetland F with BMPs in place and functioning, 11/29/12.

Photo 3, bio-swale on eastern edge of OGS project site, 11/29/12.

Photo 4, bio-swale on northern edge of OGS project site, 11/29/12.

Photo 5, southwest portion of OGS site with PG&E baker tanks, 11/29/12.

Photo 6, bio-swale on south side of OGS project site, 11/29/12.

Photo 7, OGS detention pond facing north, 11/29/12.

Photo 8, Wetland E as observed facing east, 11/29/12.

Photo 9, northern edge of Wetland E with BMP's in place and functioning, 10/31/12.

Photo 10, western edge of Wetland E with BMP's in place and functioning, 11/29/12.

Photo 11, feral cat on western edge of Wetland E, possible source of silt fence disturbance, 11/29/12.

Photo 12, silt fence breach on southern edge of Wetland E, 11/29/12.

Photo 13, southern edge of Wetland E with BMP's in place and functioning, 11/29/12.

Photo 14, Wetland E as observed facing north, 11/29/12.

Photo 15, vegetated buffer area between OGS detention pond and Wetland E, 11/29/12.

Photo 16, Wetland E as observed facing north, 10/31/12.

# Monthly Report of Cultural Resources Monitoring Activities for the Oakley Generating Station Project for November 2012; COC CUL-6

**Prepared For:** Matt Trask, OGS Project Manager
**Prepared By:** Clint Helton/OGS Cultural Resource Specialist
**Reporting For Period:** November 2012

This report covers cultural resources monitoring activities at the Oakley Generating Station project for the month of November 2012, as required by Conditions of Certification CUL-6.

## Personnel Active in Cultural Monitoring This Period

Clint Helton participated as on-call CRS for this month.

## Monitoring and Associated Activities This Period

None.

## Cultural Resources Discoveries This Period

None.

## Anticipated Changes in the Next Period

None.

## Comments, Issues or Concerns

None.

# Report of Paleontological Resources Monitoring Activities Oakley Generating Station; COC PAL-5

**Prepared For:** Matt Trask/SAC
Keith McGregor/SAC
**Prepared By:** Geof Spaulding, Oakley Paleontological Resources Specialist (PRS)
Levi Pratt, Staff Paleontologist
**Monitoring Period:** November 2012
**Date:** December 9, 2012

This report covers paleontological resources monitoring activities at the Oakley Generating Station project for the above noted period, as required by Conditions of Certification PAL-5.

## Personnel Active in Paleontological Monitoring This Period

Personnel active in monitoring this period were:

Phil Reid

## Monitoring and Associated Activities This Period

The Paleontological Resources Monitoring and Mitigation Plan (PRMMP) for this project establishes that sediments affected by excavations at the plant site possess low paleontological sensitivity. Therefore, a cross-trained cultural and paleontological resources monitor is being employed to monitor excavations at this site.

Excavations of potentially sensitive sediment did not occur between 11/01 and 11/30/2012, and monitoring was not conducted during that time.

## Paleontological Resources Discoveries This Period

No paleontological material was identified.

## Anticipated Activities in the Next Period

Monitoring will resume when excavations resume. Monitoring will continue to be conducted by a cross-trained paleontological and archaeological resources monitor.

## Comments, Issues or Concerns

None.

# EXHIBIT 8

# WEAP TRAINING DOCUMENTATION

# EXHIBIT 9

# CONSTRUCTION SAFETY DOCUMENTATION

## CONSTRUCTION SAFETY

During the reporting period zero (0) personnel received a safety orientation. To date, 126 personnel have received a safety orientation. The project logged 30.6 safe-work hours during the reporting period and a total of 18,041.1 hours without a lost-time incident.

**OGS PROJECT 09-AFC-4**

| | | SAFE WORK HOURS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **No.** | **Name:** | **Year: 2012 Month: November** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **Total** |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | |
| 1 | Zenis Walley | 3.0 | | | | | 3.0 | | 3.0 | | | | | 2.0 | | 2.0 | | | | | | 4.0 | | | | | | 2.0 | | 4.0 | | | **23.0** |
| 2 | Bryan Bertacchi | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **0.0** |
| 3 | Greg Lamberg | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 2.0 | | | **2.0** |
| 4 | Jim McLucas | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **0.0** |
| 5 | Rick Crowe | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 3.8 | | | **3.8** |
| 6 | Keith McGregor | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **0.0** |
| 7 | Geo Graening | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1.8 | | | **1.8** |
| 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **0.0** |
| 9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **0.0** |
| 10 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **0.0** |
| 11 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **0.0** |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **0.0** |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **0.0** |
| | | | | | | | | | | | | | | | | | | | | | **Month Total** | | | | | | | | | | | | **30.6** |

| | | RECORDABLE FIRST AID OR MEDICAL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | **Type:** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **Total** |
| | Date | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | |
| | First Aid | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **0.0** |
| | Medical | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **0.0** |

| | | TRAINING | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Safety Training | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **0.0** |
| | WEAP Training | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **0.0** |
| | SWPPP Training | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **0.0** |

# EXHIBIT 10

# COMPLIANCE MATRIX AND POST CERTIFICATION CHANGES

**OAKELY GENERATING STATION PROJECT - CEC COMPLIANCE MATRIX** **Update: 11/30/12**

| Technical Area | Cond. No. | Phase | Description | Verification/Action | Submittal | Submittal Date Required | Expected or Actual Submittal Date | CEC/CBO/ Delegate Agency Approval Date | Status | Amendment Date | Responsibility | Notes |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| AQ | AQ-SC1 | CONS | Designate and retain an on-site AQCMM who shall be responsible for directing and documenting compliance with **AQ-SC3, AQ-SC4, and AQ-SC5** for the entire project site and linear facility construction. The on-site AQCMM may delegate responsibilities to one or more AQCMM delegates. The AQCMM shall not be terminated without written consent of the CPM. | Submit to the CPM for approval and for consultation with the Oakley City Engineer, the name, resume, qualifications, and contact information for the on-site AQCMM and all AQCMM delegates. The AQCMM and all delegates must be approved by the CPM before the start of ground disturbance. | Resume of AQCMM & Delegates | At least 60 days prior to ground disturbance | Ongoing | CEC accepted Z. Walley on 11/22/11 and 8/10/12 | Completed | NA | CCGS/PGE | The AQCMM Delegate is Zenis Walley, CCGS Env. Compliance Manager. Rodrigo Villanueva with PGE is the AQCCM Delegate for the transmission line. Additional submittals are required if the AQCMM or delegate are replaced. |
| AQ | AQ-SC2 | PC | Provide, for approval, an AQCMP that details the steps to be taken and the reporting requirements necessary to ensure compliance with conditions of certification **AQ-SC3, AQ-SC4 and AQ-SC5.** | Submit the AQCMP to the CPM for approval and for consultation with the Oakley City Engineer. The CPM will notify the project owner of any necessary modifications to the plan within 30 days from the date of receipt. The AQCMP must be approved by the CPM before the start of ground disturbance. | AQCMP | At least 60 days prior to ground disturbance | | | Completed | NA | CH2 | |
| AQ | AQ-SC3 | CONS | Submit documentation to the CPM in each MCR that demonstrates compliance with mitigation measures (a) through (m) in the Condition for purposes of preventing all fugitive dust plumes from leaving the project site and linear facility routes. Any deviation from the following mitigation measures shall require prior CPM notification and approval. | The MCR shall include: (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 AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion. | MCR | Monthly | Ongoing | | In-progress | NA | EPC/CCGS | |
| AQ | AQ-SC4a | CONS | AQCMM or delegate shall monitor all construction activities for visible dust plumes. Observations of visible dust plumes with the potential to be transported off the project site, 200 feet beyond the centerline of the construction of linear facilities, or within 100 feet upwind of any regularly occupied structures not owned by the owner/operator indicate that existing mitigation measures are not providing effective mitigation. The AQCMM or delegate shall then implement Steps 1 through 3 in the condition in the event such visible dust plumes are observed. | | see AQ-SC2 | Throughout Construction | Ongoing | | In-progress | NA | EPC | |
| AQ | AQ-SC4b | PC | Include additional monitoring measures for visible dust plumes in AQCMP required by AQ-SC2. | The AQCMP shall include a section detailing how additional mitigation measures will be accomplished within the specified time limits. | AQCMP | At least 60 days prior to ground disturbance | | | Completed | NA | CH2 | |
| AQ | AQ-SC5 | CONS | Submit to the CPM, in the MCR, a construction mitigation report that demonstrates compliance with mitigation measures (a) through (f) in the Condition AQ-SC5 for purposes of controlling diesel construction related emissions. Any deviation from the mitigation measures shall require prior CPM notification and approval. | Include in the MCR: (1) a summary of all actions taken to maintain compliance with this condition; (2) 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 the equipment has been properly maintained; and (3) any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | |
| AQ | AQ-SC6a | CONS | Any modification to any project air permit that is proposed by the project owner, the District, or U.S. EPA shall be submitted to the CPM for review and approval. | Submit any proposed air permit modification to the CPM within five working days of either: 1) submittal by the project owner to an agency, or 2) receipt of proposed modifications from an agency. | (If Needed) | Within 5 working days of proposing permit modification | As-needed | | As-needed | NA | CCGS | |
| AQ | AQ-SC6b | CONS | Any revised permit issued by the District or U.S. EPA for the project shall be submitted to the CPM for review and approval. | Submit all modified air permits to the CPM within 15 days of receipt. | (If Needed) | Within 15 days of receipt of permit revision | As-needed | | As-needed | NA | CCGS | |
| AQ | AQ-SC7a | PC | The project owner shall provide emission reductions in the form of emission reduction credits (ERCs) in the quantities of at least 98.78 tons per year (tpy) NOx, and 29.60 tpy VOC. The project owner shall demonstrate that the reductions are provided in the form required by the Bay Area Air Quality Management District. The project owner shall surrender the ERCs from among Bay Area Air Quality Management District Certificate Numbers 1241, 1242, and/or 1245, or a modified list, as allowed by this condition. | The project owner shall submit to the CPM records showing that the project's offset requirements have been met prior to initiating construction. | ERC's | Prior to construction | | | Completed | NA | CCGS | |
| AQ | AQ-SC7b | PC | If additional ERCs are submitted, the project owner shall submit a modified list including the additional ERCs to the CPM. The project owner shall request CPM approval for any substitutions, modifications, or additions to the listed credits. The CPM, in consultation with the District, may approve any such change to the ERC list provided that the project remains in compliance with all applicable laws, ordinances, regulations, and standards, and that the requested change(s) will not cause the project to result in a significant environmental impact. The District must also confirm that each requested change is consistent with applicable federal and state laws and regulations. | If the CPM approves a substitution or modification to the list of ERCs, the CPM shall file a statement of the approval with the project owner and the Energy Commission docket. The CPM shall maintain an updated list of approved ERCs for the project. | See AQ-SC7a | Prior to construction | | | Completed | NA | CEC | |

| Technical Area | Cond. No. | Phase | Description | Verification/Action | Submittal | Submittal Date Required | Expected or Actual Submittal Date | CEC/CBO/ Delegate Agency Approval Date | Status | Amendment Date | Responsibility | Notes |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| AQ | AQ-SC8a | CONS | The project owner shall mitigate 63.88 tons per year (tpy) of PM10/PM2.5 and 12.55 tpy of SOx emissions. The project owner shall provide initial funding for emission reduction projects and administrative fees to the Bay Area Clean Air Foundation in the amount of $500,000 within 90 days after the issuance of the Authority to Construct (ATC) Permit. | The project owner shall submit to the CPM confirmation that the appropriate initial funding has been provided within 90 days after the issuance of the ATC Permit. | Initial Funding of the Bay Area Clean Air Foundation | Within 90 days after the issuance of the ATC Permit | 30-Mar-00 | BAAQMD issued on 6/2/11 | Completed | NA | CCGS | ATC Permit. Funds wired on 8/31/11. |
| AQ | AQ-SC8b | CONS | The project owner shall mitigate 63.88 tons per year (tpy) of PM10/PM2.5 and 12.55 tpy of SOx emissions. The project owner shall provide additional funding to the Bay Area Clean Air Foundation on a monthly basis as necessary to fund the qualifying emission reduction projects selected for that month. | The project owner shall provide quarterly summaries of the emission reduction project selection information to the CPM for review until such time that all funds have been committed by the Bay Area Clean Air Foundation to qualifying projects. | Quarterly summaries until funds are committed | Quarterly | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-SC8c | CONS | The project owner shall make a final demonstration of the quantity and schedule of all emission reductions sponsored by the funding at least 30 days prior to first turbine fire. | Additionally, the project owner shall submit to the CPM confirmation that the appropriate funding has been provided to the Bay Area Clean Air Foundation at least 30 days prior to turbine first fire. | Confirmation that appropriate funding has been provided | At least 30 days prior to first turbine fire | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-SC9 | OPS | Submit to the CPM quarterly operation reports that include operational and emissions information as necessary to demonstrate compliance with the conditions of certification. The quarterly operation report shall specifically note or highlight incidences of noncompliance. | Submit quarterly operation reports to the CPM and APCO. This information shall be maintained on site for a minimum of five years and shall be provided to the CPM and District personnel upon request. | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | Maintain information on site for a minimum of 5 years. |
| AQ | AQ-SC10 | COMM | The facility shall be operated such that simultaneous commissioning of the two combustion turbines will not occur without abatement of nitrogen oxide and CO emissions by its SCR system and oxidation catalyst system will not occur. Operation of one combustion turbine during commissioning without abatement shall be limited to times when the second combustion turbine is either non-operational or in compliance with emission limits for routine operation. | Submit a monthly compliance report to the CPM during the commissioning period demonstrating compliance with this condition. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | |
| AQ | AQ-1 | COMM | Minimize emissions of carbon monoxide and nitrogen oxides from S-1 and S-2 Gas Turbines to the maximum extent possible during the commissioning period. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | EPC | |
| AQ | AQ-2 | COMM | 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 and S-2 Gas Turbines combustors to minimize the emissions of carbon monoxide and nitrogen oxides. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | EPC | |
| AQ | AQ-3 | COMM | At the earliest feasible opportunity in accordance with the recommendations of the equipment manufacturers and the construction contractor, the owner/operator shall install, adjust, and operate the A-2 and A-4 Oxidation Catalysts and A-1 and A-3 SCR Systems to minimize the emissions of carbon monoxide and nitrogen oxides from S-1 and S-2 Gas Turbines. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | EPC | |
| AQ | AQ-4 | CONS | Submit a plan to the District Engineering Division and the CEC CPM at least four weeks prior to first firing of S-1 and S-2 Gas Turbines describing the procedures to be followed during the commissioning of the gas turbines. The plan shall include the a description of each commissioning activity, the anticipated duration of each activity in hours, and the purpose of the activity. The activities described shall include, but not be limited to, the tuning of the Dry-Low-NOX combustors, the installation and operation of the required emission control systems, the installation, calibration, and testing of the CO and NOX continuous emission monitors, and any activities requiring the firing of the Gas Turbines (S 1 and S 2) without abatement or with partial abatement by their respective oxidation catalysts and/or SCR Systems. The Gas Turbines (S-1 or S-2) shall not be fired sooner than 28 days after the District receives the commissioning plan. | Submit a commissioning plan to the CPM and APCO for approval describing the procedures to be followed during the commissioning period and the anticipated duration of each commissioning activity. | Commissioning Plan | At least 4 weeks prior to first firing of the gas turbine | TBD | | Not Started | NA | EPC | |
| AQ | AQ-5 | COMM | During the commissioning period, demonstrate compliance with AQ-7, AQ-8, and AQ-9 through the use of properly operated and maintained continuous emission monitors and data recorders for the parameters and emission concentrations listed in this condition. The monitored parameters shall be recorded, and District-approved calculation methods shall be used, as outlined in this condition. Records shall be retained on site for at least 5 years from the date of entry and such records will be made available to District personnel upon request. | Submit to the CPM and APCO for approval the commissioning plan as required in AQ-4. | see AQ-4 | At least 4 weeks prior to first firing of the gas turbine | TBD | | Not Started | NA | EPC | |

| Technical Area | Cond. No. | Phase | Description | Verification/Action | Submittal | Submittal Date Required | Expected or Actual Submittal Date | CEC/CBO/ Delegate Agency Approval Date | Status | Amendment Date | Responsibility | Notes |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| AQ | AQ-6 | COMM | Install, calibrate, and operate the District-approved continuous monitors specified in AQ-5 prior to first firing of the Gas Turbines (S-1 and S-2). After first firing of the turbines, adjust the detection range of these continuous emission monitors as necessary to accurately measure the resulting range of CO and NOx emission concentrations. The instruments shall operate at all times of operation of S-1 and S-2 including start-up, shutdown, upset, and malfunction, except as allowed by BAAQMD Regulation 1-522, BAAQMD Manual of Procedures, Volume V. If necessary to comply with this requirement, the project owner shall install dual-span monitors. The type, specifications, and location of these monitors shall be subject to District review and approval. | Make the site available for inspection by representatives of the District, ARB, and the Commission upon request. | -- | Prior to first firing of the Gas Turbines | TBD | | Not Started | NA | EPC | |
| AQ | AQ-7 | COMM | The Gas Turbines shall not be fired without abatement of nitrogen oxide emissions and/or abatement of CO emissions, as described in this condition. Such operation of any Gas Turbine without abatement shall be limited to discrete commissioning activities that can only be properly executed without the SCR system and/or oxidation catalyst in place. Upon completion of these activities, provide written notice to the District Engineering Division and Compliance and Enforcement Division and the unused balance of the 831 firing hours for each turbine without abatement shall expire. | Submit to the CPM and APCO for approval the commissioning plan as required in AQ-4. A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | see AQ-4 / Quarterly Operation Report | Upon Completion of activities | TBD | | Not Started | NA | EPC | |
| AQ | AQ-8 | COMM | The total mass emissions of nitrogen oxides, carbon monoxide, precursor organic compounds, PM10, and sulfur dioxide that are emitted by the Gas Turbines (S-1 and S-2) during the commissioning period shall accrue towards the consecutive twelve-month emission limitations specified in AQ-43. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | EPC | |
| AQ | AQ-9 | COMM | The Gas Turbines (S-1 and S-2) shall not be operated in a manner such that the pollutant emissions from the turbines will exceed the limits in this condition during the commissioning period. These emission limits shall include emissions resulting from the start-up and shutdown of the Gas Turbines. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | EPC | |
| AQ | AQ-10 | OPS | Fire the Gas Turbines (S-1 and S-2) exclusively on PUC-regulated natural gas with a maximum sulfur content of 1 grain per 100 standard cubic feet. To demonstrate compliance with this limit, the operator of S-1 and S-2 shall sample and analyze the gas from each supply source at least monthly to determine the sulfur content of the gas. PG&E monthly sulfur data may be used provided that such data can be demonstrated to be representative of the gas delivered to the OGS. | The result of the natural gas fuel sulfur monitoring data and other fuel sulfur content source data shall be submitted to the District and CPM in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-11 | OPS | The units shall not be operated such that the heat input rate to each Gas Turbine (S-1 and S-2) exceeds 2,150 MMBtu (HHV) per hour. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-12 | OPS | The units shall not be operated such that the heat input rate to each Gas Turbine (S-1 and S-2) exceeds 51,600 MMBtu (HHV) per day. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-13 | OPS | The units shall not be operated such that the combined cumulative heat input rate for the Gas Turbines (S-1 and S-2) exceeds 35,397,277 MMBtu (HHV) per year. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-14 | OPS | Ensure that each Gas Turbine (S-1 and S-2) is abated by the properly operated and properly maintained Selective Catalytic Reduction (SCR) System A-1 or A-3 and Oxidation Catalyst System A-2 or A-4 whenever fuel is combusted at those sources and the corresponding SCR catalyst bed (A-1 or A-3) has reached minimum operating temperature. | Make the site available for inspection by representatives of the District, ARB, and the Commission upon request. A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-15 | OPS | The Gas Turbines (S-1 and S-2) shall comply with requirements (a) through (f) in this condition. Requirements (a) through (f) do not apply during a gas turbine start-up, and shutdown. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-16 | OPS | The regulated air pollutant mass emission rates from each of the Gas Turbines (S-1 and S-2) during a start-up or shutdown shall not exceed the limits established in this condition (shown in Table). | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-17a | OPS | The owner/operator shall not perform combustor tuning on each Gas Turbine (S-1 or S-2) more than twice in any consecutive 12 month period. Each tuning event shall not exceed 8 hours. Combustor tuning shall only be performed on one gas turbine per day. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-17b | OPS | The owner/operator shall notify the District Engineering Division and Compliance and Enforcement Division no later than 24 hours prior to combustor tuning activity, except in exigent circumstances. | Owner/operator shall notify by the District and CPM at least 7 days prior to the combustor tuning. | Notification | No later than 24 hours prior to tuning activity | TBD | | Not Started | NA | CCGS | |

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| AQ | AQ-17c | OPS | If exigent circumstances arise, the owner/operator shall notify the District Engineering Division and Compliance and Enforcement Division in writing 24 hours prior to combustor tuning activity detailing the circumstances. | Owner/operator shall notify by the District and CPM at least 24 hours prior to the combustor tuning. | Notification | No later than 24 hours prior to tuning activity | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-17d | OPS | Emissions during combustor tuning from each gas turbine shall not exceed the hourly limits established in this condition and shall not exceed hourly limits established by the District based on emissions data obtained during the first tuning event for each turbine. The owner/operator shall measure and record mass emissions of NOx and CO using the continuous emissions monitors during tuning and shall measure POC emissions during the first tuning after the first turbine has been commissioned using a District-approved source test method. The owner/operator shall seek District approval of the test method in accordance with **AQ-29** below. | A summary of significant operations and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-17e | OPS | Owner/operator shall submit the record of NOx, CO and POC emissions during the first tuning event after the first turbine has been commissioned to the District within 60 days after the first tuning event. | A summary of significant operations and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | | No later than 60 days following the event | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-17f | OPS | The District shall establish mass emissions limits for the future tuning events based on this test data and shall notify the owner/operator of these limits. | | | After first tuning event | TBD | | Not Started | NA | BAAQMD | |
| AQ | AQ-18 | OPS | Total emissions from the Gas Turbines (S-1 and S-2), including emissions generated during gas turbine start-ups and shutdowns, shall not exceed the limits (a) through (c) of this condition during any calendar day (except for days during which combustor tuning events occur, which are subject to condition AQ-19). | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-19 | OPS | Total emissions from each Gas Turbine (S-1 and S-2), including emissions generated during gas turbine start-ups, shut-downs, and combustor tuning events shall not exceed the limits (a) through (c ) of this condition during any calendar day on which a tuning event occurs. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-20 | OPS | The maximum projected annual toxic air contaminant emissions (per AQ-23) from the Gas Turbines (S-1 and S-4) combined shall not exceed the limits in this condition. A health risk assessment shall be performed using the emission rates determined by the procedures described in this condition. The risk analysis shall be submitted to the District and the CEC CPM within 60 days of the source test date. The owner/operator may request that the District and the CEC CPM revise the carcinogenic compound emission limits, as described in this condition. If the owner/operator demonstrates to the satisfaction of the APCO that these revised emission limits will not result in a significant cancer risk, the District and the CEC CPM may, at their discretion, adjust the carcinogenic compound emission limits listed in this condition. | Source test results obtained through compliance with AQ-23 and AQ-27 shall confirm the toxic air contaminant emission rates or the project owner shall submit an updated health risk assessment. | Health Risk Assessment (if needed) | Within 60 days of the source testing date | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-21 | OPS | Compliance with AQ-11 through AQ-13, AQ-15(a) through AQ-15(d), AQ-16 (NOX, and CO limits), AQ-17 (NOx, and CO limits), AQ-18(a), AQ-18(b), AQ-19(a), 19(b), AQ-43(a) and AQ-43(b) shall be demonstrated by using properly operated and maintained continuous monitors (during all hours of operation including gas turbine startup, and shutdown periods). The project owner shall monitor for parameters (a) through (k) of this condition. | Make the site available for inspection by representatives of the District, ARB and the Commission to verify the continuous monitoring and recordkeeping system is properly installed and operational. | -- | Throughout Operation | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-22 | OPS | To demonstrate compliance with AQ-15(f), AQ-18(c), AQ-19(c), and AQ-43(c), calculate and record on a daily basis, the mass emissions from each power train as listed in this condition. Use the criteria listed in this condition to calculate these emissions, and present the calculated emissions in format (a) and (b) of this condition. | Make the site available for inspection by representatives of the District, ARB and the Commission to verify the calculation and recordkeeping system is properly installed and operational. | -- | Throughout Operation | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-23 | OPS | To demonstrate compliance with AQ-20, calculate and record on an annual basis the maximum projected annual emissions of: Formaldehyde, Benzene, and Specified PAHs. Calculate the maximum projected annual emissions using the factors described in this condition. Use of a reduced annual heat input rate to calculate the maximum projected annual emissions shall be subject to District review and approval. | Make the site available for inspection by representatives of the District, ARB and the Commission to verify the calculation and recordkeeping system is properly installed and operational. | -- | Throughout Operation | Ongoing | | Not Started | NA | CCGS | |

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| AQ | AQ-24a | COMM | Within 90 days of the beginning of the start-up period (as defined in Regulation 2-1-210) of each of the OGS 7FA units or as otherwise approved by the APCO, conduct a District-approved source test on exhaust point P-1 and P-2 to determine the corrected ammonia (NH3) emission concentration to determine compliance with AQ-15(e). (See Condition AQ-25 for purpose and method of test.) Ongoing compliance with AQ-15(e) shall be demonstrated through calculations of corrected ammonia concentrations based upon the source test correlation and continuous records of ammonia injection rate. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests. | The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-29). Testing for steady-state emissions shall be conducted upon initial operation and at least once every 12 months. | Source Test Results & Field Data | Source test within 90 operating days of startup. Submit results within 60 days of the source testing | TBD | | Not Started | NA | EPC | |
| AQ | AQ-24b | OPS | On an annual basis, conduct a District-approved source test on exhaust point P-1 and P-2 to determine the corrected ammonia (NH3) emission concentration to determine compliance with AQ-15(e). (See Condition AQ-24 for purpose and method of test.) Ongoing compliance with AQ-15(e) shall be demonstrated through calculations of corrected ammonia concentrations based upon the source test correlation and continuous records of ammonia injection rate. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests. | The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-29). Testing for steady-state emissions shall be conducted upon initial operation and at least once every 12 months. | Source Test Results & Field Data | Source test annually. Annual Testing/Results submitted within 60 days of the source testing | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-25a | COMM | Within 90 days of the beginning of the start-up period (as defined in Regulation 2-1-210) of each of the OGS GE 7FA units or as otherwise approved by the APCO, conduct a District-approved source test on exhaust points P-1 and P-2 while each Gas Turbine is operating at maximum load to determine compliance with AQ-15(a), AQ-15(b), AQ-15(c), AQ-15(d), AQ-15(f), and to establish the emissions factors to be used to demonstrate compliance with AQ-43(d) and AQ-43(e); and while each Gas Turbine is operating at minimum load to determine compliance with AQ-15(c) and AQ-15(d); and to verify the accuracy of the continuous emissions monitors required in AQ-21. Test for (as a minimum) the elements listed in this condition. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests. The project owner may conduct up to four tests per year for total particulate matter including condensable particulate matter. | The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a pre-approved protocol (AQ-29). Testing for steady-state emissions shall be conducted upon initial operation and at least once every 12 months. | Source Test Results & Field Data | Source test within 90 operating days of first fire. Submit results within 60 days of the source testing | TBD | | Not Started | NA | EPC | |
| AQ | AQ-25b | OPS | On an annual basis, conduct a District-approved source test on exhaust points P-1 and P-2 while each Gas Turbine is operating at maximum load to determine compliance with AQ-15(a), AQ-15(b), AQ-15(c), AQ-15(d), AQ-15(f), and to establish the emissions factors to be used to demonstrate compliance with AQ-42(d) and AQ-42(e); and while each Gas Turbine is operating at minimum load to determine compliance with AQ-15(c) and AQ-15(d); and to verify the accuracy of the continuous emissions monitors required in AQ-21. Test for (as a minimum) the elements listed in this condition [AQ-25]. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests. The project owner may conduct up to four tests per year for total particulate matter including condensable particulate matter. | The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a pre-approved protocol (AQ-29). Testing for steady-state emissions shall be conducted upon initial operation and at least once every 12 months. | Source Test Results & Field Data | Source test annually. Annual Testing/Results submitted within 60 days of the source testing | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-26a | OPS | Within 90 days of the beginning of the start-up period (as defined in Regulation 2-1-210) of each OGS GE 7FA units or as otherwise approved by the APCO, conduct District- and CEC-approved source tests for that Gas Turbine to determine compliance with the emission limitations specified in AQ-16. The source tests shall determine NOx, CO, and POC emissions during start-up and shutdown of the gas turbines. The POC emissions shall be analyzed for methane and ethane to account for the presence of unburned natural gas. The source test shall include a minimum of three start-up and three shutdown periods. | Submit to the CPM and APCO for approval the commissioning plan as required in AQ-4. | Conduct source test and protocol | Within 90 days of the beginning of the start-up period of each OGS GE 7FA units or as otherwise approved by the APCO | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-26b | OPS | Thirty working days before the execution of the source tests, the owner/operator shall submit to the District and the CEC Compliance Program Manager (CPM) a detailed source test plan designed satisfy the requirements of this Part. The District and the CEC CPM will notify the owner/operator of any necessary modifications to the plan within 20 working days of receipt of the plan; otherwise, the plan shall be deemed approved. The owner/operator shall incorporate the District and CEC CPM comments into the test plan. The owner/operator shall notify the District and the CEC CPM within seven (7) working days prior to the planned source testing date. Submit the source test results to the District and the CEC CPM within 60 days of the source testing date. | Submit the source test results to the District and the CEC CPM within 60 days of the source testing dates. | Source Test Results | Submit plan 30 days before source testing, provide results within 60 days of the source testing | TBD | | Not Started | NA | CCGS | |

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| AQ | AQ-27a | COMM | Within 90 days of the beginning of the start-up period (as defined in Regulation 2-1-210) of the second of the OGS GE 7FA gas turbines or as otherwise approved by the APCO, conduct a District-approved source test on either exhaust point P-1 or P-2 while the Gas Turbine is operating at maximum allowable operating rates to demonstrate compliance with AQ-20. Also test the gas turbine while it is operating at minimum load. If three consecutive biennial source tests demonstrate that the annual emission rates calculated pursuant to AQ-23 for any of the compounds listed in this condition are less than 50% of the levels listed in AG-20 then the project owner may discontinue future testing for that pollutant. | The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-29). Testing for toxic air contaminant emissions shall be conducted upon initial operation. | Source Test Results & Field Data | Source test within 90 operating days of first fire. Submit results within 60 days of the source testing | TBD | | Not Started | NA | EPC | |
| AQ | AQ-27b | OPS | On a biennial basis (once every two years), conduct a District-approved source test on one of the following exhaust points P-1 or P-2 while the Gas Turbine is operating at maximum allowable operating rates to demonstrate compliance with AQ-20. Also test the gas turbine while it is operating at minimum load. If three consecutive biennial source tests demonstrate that the annual emission rates calculated pursuant to AQ-23 for any of the compounds listed in this condition are less than 50% of the levels listed in AQ-20 then the project owner may discontinue future testing for that pollutant. | The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-29). Testing for toxic air contaminant emissions shall be conducted at least once every 24 months. | Source Test Results & Field Data | Source test every 2 years or until rates fall below level specified in condition. Biennial Testing/Results submitted within 60 days of the source testing | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-28a | COMM | Within 90 days of the beginning of the start-up period (as defined in Regulation 2-1-210) of each of the OGS GE 7FA gas turbines or as otherwise approved by the APCO, conduct a District-approved source test on one of the two exhaust points P-1 and P-2 while the gas turbine is operating at maximum heat input rates to demonstrate compliance with the total sulfuric acid mist emission rate specified in this condition. Test for (as a minimum) SO2, SO3, and H2SO4, and the sulfur content of the fuel. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests. | The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-29). Testing for steady-state emissions shall be conducted upon initial operation. | Source Test Results & Field Data | Source test within 90 days of startup. Submit results within 60 days of the source testing | TBD | | Not Started | NA | EPC | |
| AQ | AQ-28b | OPS | On an annual basis, conduct a District-approved source test on one of the two exhaust points P-1 and P-2 while the gas turbine is operating at maximum heat input rates to demonstrate compliance with the sulfuric acid mist emission rate specified in this condition. Test for (as a minimum) SO2, SO3, and H2SO4, and the sulfur content of the fuel. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests. | The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-27). Testing for steady-state emissions shall be conducted at least once every 12 months. | Source Test Results & Field Data | Source test annually. Annual Testing/Results submitted within 60 days of the source testing | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-29a | OPS | Obtain approval for all source test procedures from the District's Source Test Section and the CEC CPM prior to conducting any tests, comply with all applicable testing requirements for continuous emission monitors as specified in Volume V of the District's Manual of Procedures. Notify the District's Source Test Section and the CEC CPM in writing of the source test protocols and projected test dates at least 7 days prior to the testing date(s). Measure the contribution of condensable PM (back half) to any measurement of the total particulate matter or PM10 emissions. However, the owner/operator may propose alternative measuring techniques to measure condensable PM such as the use of a dilution tunnel or other appropriate method used to capture semi-volatile organic compounds. | Submit the proposed source test plan or protocol for the source tests seven days prior to the proposed source test date to both the District and CPM for approval. Notify the District and CPM no later than seven days prior to the proposed source test date and time. | Approval for and Conduct Source Tests | Notify at least 7 days prior to testing | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-29b | OPS | Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests. | | | Submit results within 60 days of conducting tests | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-30 | CONS | The stack height of emission points P-1 and P-2 shall each be at least 155.5 feet above grade level at the stack base. | Make the site available for inspection by representatives of the District, ARB and CEC. | -- | Design and Throughout Operation | Incorporate into design | | In-progress | NA | GE | BAAQMD modeling was based on a specific elevation. Need to confirm stack height and elevation grade match BAAQMD dispersion modeling. |
| AQ | AQ-31 | CONS | Submit manufacturer's specifications and emissions guarantees for NOx and CO for the Auxiliary Boiler (S-3) to the District Engineering Division and the CEC CPM at least four weeks prior to first firing of Auxiliary Boiler (S-3). | At least 30 days prior to the installation of the Auxiliary Boiler provide District and CPM specifications for boiler. | Boiler Specifications | At least 30 days prior to installation of the Auxiliary Boiler | TBD | | Not Started | NA | EPC | |
| AQ | AQ-32 | COMM | If Oxidation Catalyst (A 5) is required, the owner/operator shall install, adjust, and operate the A 5 Oxidation Catalyst at the earliest feasible opportunity, in accordance with the recommendations of the equipment manufacturers and the construction contractor, to minimize the emissions of carbon monoxide from S 3 Auxiliary Boiler. | The project owner shall make the site available for inspection of equipment and records by representatives of the District, ARB, and CEC. | | Earliest feasible opportunity | TBD | | In-progress | NA | EPC | |

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| AQ | AQ-33 | OPS | The heat input rate to the Auxiliary Boiler (S 3) shall not exceed 50.6 MMBtu per hour, averaged over any rolling 3 hour period. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-34 | OPS | The heat input rate to the Auxiliary Boiler (S 3) shall not exceed 218,606 MMBtu per year. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-35 | OPS | NOx, CO, and POC emissions shall not exceed the thresholds listed in (a) through (c ) of this condition. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-36 | OPS | Demonstrate compliance with AQ-35(a), AQ-35(b) and AQ-43(a) and AQ-43(b) by using properly operated and maintained continuous monitors (during all hours of operation including auxiliary boiler start-up, tuning and shut down periods). Monitor for parameters (a) through (j) of this condition at least every 15 minutes (excluding normal calibration periods. | Make the site available for inspection by representatives of the District, ARB and CEC. | | Throughout Operation | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-37 | OPS | To demonstrate compliance with AQ-35(c ) the owner/operator shall calculate and record on a daily basis, the precursor organic compound (POC) mass emissions from the auxiliary boiler using the actual heat input rates measured pursuant to AQ-36, and CEC and District-approved emission factors developed pursuant to source testing under AQ-38 to calculate these emissions. Calculated emissions shall be presented as shown in sections (a) and (b) of this condition. | Make the site available for inspection by representatives of the District, ARB and CEC. | | Throughout Operation | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-38a | OPS | Within 90 days of start-up of Auxiliary Boiler (S-3), conduct a District-approved source test on exhaust point P-3 while the auxiliary boiler is operating at maximum load to determine emission factors for POC, PM10, and Sox. Testing will be done for (at a minimum): water content, stack gas flow rate, oxygen concentration, precursor organic compound concentration and mass emissions, nitrogen oxide concentration and mass emissions (as NO2), carbon monoxide concentrations and mass emissions, sulfur dioxide concentration and mass emissions, methane, ethane, and PM10 emissions including condensable particulate matter. | Submit for approval, the source test plan to the District and CPM, thirty (30) working days before the execution of the compliance test required in this condition. | Source Test | Source test within 90 operating days of first fire of each auxiliary boiler | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-38b | OPS | Thirty working days before the execution of the source tests, submit to the District and the CEC Compliance Program Manager (CPM) a detailed source test plan for approval. The District and the CEC CPM will notify the project owner of any necessary modifications to the plan within 20 working days of receipt of the plan. | Submit for approval, the source test plan to the District and CPM, thirty (30) working days before the execution of the compliance test required in this condition. | Source Test Plan | At least 30 days prior to source testing | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-38c | OPS | Owner/operator shall notify the District and the CEC CPM within 7 working days prior to the planned source testing date. | | Notification to District and CPM | Within 7 working days prior to conducting source test. | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-38c | OPS | Submit the source test results to the District and the CEC CPM within 60 days of the source testing date. | Test results shall be submitted to the District and to the CPM within sixty (60) days of the source testing date. | Test results | Within 60 days of source testing | TBD | | Not Started | NA | CCGS | |
| AQ | AQ-39 | OPS | Fire the Fire Pump Diesel Engine (S-4) exclusively on diesel fuel having a sulfur content no greater than 0.0015% by weight. | Make the site available for inspection by representatives of the District, ARB, and CEC. | | Throughout operation | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-40 | OPS | Operate the Fire Pump Diesel Engine (S-4) for no more than 49 hours per year for the purpose of reliability testing and non-emergency operation. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-41 | OPS | The owner/operator shall operate the Fire Pump Diesel Engine (S 4) only when a non-resettable totalizing hour meter (with a minimum display capability of 9,999 hours) is installed, operated and properly maintained. | Make the site available for inspection by representatives of the District, ARB and the Commission. Include a photograph of each totalizing meter in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter and throughout Operation | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-42 | OPS | Maintain the monthly records for Fire Pump Engine (S-4) as outlined in sections (a) through (e) of this condition in a District approved log for at least 5 years. 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. | Make the site available for inspection by representatives of the District, ARB and CEC. | | Throughout Operation | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-43 | OPS | The owner/operator shall not allow total combined emissions from the Gas Turbines (S 1 and S 2), including emissions generated during gas turbine start-ups, combustor tuning, shutdowns, and malfunctions, the auxiliary boiler (S 3), including emissions generated during auxiliary boiler start-ups, tune-ups, shutdowns, and malfunctions, and the fire pump diesel engine (S-4), including non-emergency and emergency operation, to exceed the limits in sections (a) through (e) of this condition during any consecutive twelve-month period. Compliance with the limits shall be determined using the procedures outlined in this condition. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |

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| AQ | AQ-44 | OPS | To demonstrate compliance with AQ-43, the owner/operator shall record the total emissions for each consecutive 12 month period. The owner/operator shall calculate emissions of each pollutant listed in AQ-43(a) through (e) from the gas turbines, auxiliary boiler, and fire pump diesel engine for each calendar month using the calculation procedures established in AQ-43, and shall calculate annual emissions to determine compliance with the limits listed in AQ-43(a) through (e) by summing the monthly totals for the previous 12 months. | The project owner shall make the site available for inspection by representatives of the District, ARB and the Commission to verify the calculation and recordkeeping system is properly installed and operational. | | Throughout Operation | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-45 | OPS | Submit all reports to the District (including, but not limited to monthly CEM reports, monitor breakdown reports, emission excess reports, equipment breakdown reports, etc.) as required by District Rules or Regulations and in accordance with all procedures and time limits specified in the Rule, Regulation, Manual of Procedures, or Compliance and Enforcement Division Policies & Procedures Manual. | Notifications and reports, including the quarterly operation report (AQ-SC9), shall be prepared and submitted in compliance with this condition. | District Reporting | Including, but not limited to monthly and no later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-46 | OPS | Maintain all records and reports on site for a minimum of 5 years. These records shall include but are not limited to the reports listed in this condition. Make all records and reports available to District and the CEC CPM staff upon request. | Make the site available for inspection by representatives of the District, ARB and CEC. | -- | Throughout Operation | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-47 | OPS | Notify the District and the CEC CPM of any violations of these permit conditions. Notification shall be submitted in a timely manner in accordance with all applicable District Rules, Regulations, and the Manual of Procedures. Notwithstanding the notification and reporting requirements given in any District Rule, Regulation, or the Manual of Procedures, submit written notification (facsimile is acceptable) to the Enforcement Division within 96 hours of the violation of any permit condition. | A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC9). | (If Needed) | Within 96 hours of violation of permit condition & No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| AQ | AQ-48 | CONS | Provide adequate stack sampling ports and platforms to enable the performance of source testing. The location and configuration of the stack sampling ports shall comply with the procedures listed in this condition, and shall be subject to BAAQMD review and approval, except that the facility shall provide four sampling ports that are at least 6 inches in diameter in the same plane of each gas turbine stack (P 1, P 2). | The project owner shall make the site available for inspection by representatives of the District, ARB and CEC. | -- | Design and Throughout Operation | Incorporate into Design | | In-progress | NA | GE | Refer to BAAQMD Manual of Procedures Vol. IV and Vol. V, and USEPA 40 CFR 60 Subpart GG - Gas Turbines, Appendix A - Test Methods, and Appendix B - Performance Specifications (CEMS). |
| AQ | AQ-49 | CONS | Within 180 days of the issuance of the Authority to Construct for the OGS, contact the BAAQMD Technical Services Division regarding requirements for the continuous emission monitors, sampling ports, platforms, and source tests required by AQ-24 through AQ-28, and AQ-38. Conduct all source testing and monitoring in accordance with the District approved procedures. | Contact the District for specifications on monitors, ports, platforms and source tests and submit verification of this contact to the District and CPM with the initial source test protocol (AQ-29). | see AQ-27a | Within 180 days of the ATC and at least 7 days prior to the source testing date(s) | | | Completed | NA | GE | BAAQMD staff (K. Truesdell and W. Hammel) contacted by CCGS (Z. Walley) on 8/1/11 to request CEMS design specs and requirements. BAAQMD staff (K. Truesdell) contacted by OPC (D. Mumm) on 9/12/11 to request CEMS design specs and requirements. Manual of Procedures provided by BAAQMD on 8/5/11, and forwarded to GE and OPC. |
| AQ | AQ-50 | OPS | Comply with the continuous emission monitoring requirements of 40 CFR Part 75. | Submit to the CPM and District the results of audits of the monitoring system demonstrating compliance with this condition as part of the quarterly operation report (AQ-SC9). | Quarterly Operation Report | No later than 30 days following the end of each calendar quarter | Ongoing | | Not Started | NA | CCGS | |
| BIO | BIO-1a | PC | DESIGNATED BIOLOGIST SELECTION: A Designated Biologist shall be assigned to the project, and the resume of the proposed Designated Biologist, with at least 3 references and contact information, shall be submitted to the CPM for approval. The Designated Biologist must meet the minimum qualifications (1) through (3) in this condition. | The specified information shall be submitted at least 60 days prior to the start of any site (or related facilities) mobilization. No site or related facility activities shall commence until an approved Designated Biologist is available to be on site. | DB Resume | At least 60 days prior to the start of site mobilization | | CEC approved via BRMIMP 6/11 | Completed | NA | CH2 | Resume for Rick Crowe (CH2M HILL), Designated Biologist, submitted on 3/18/11. |
| BIO | BIO-1b | CONS | DESIGNATED BIOLOGIST SELECTION | If a Designated Biologist needs to be replaced, the specified information of the proposed replacement must be submitted to the CPM at least ten (10) working days prior to the termination or release of the preceding Designated Biologist. In an emergency, the project owner shall immediately notify the CPM to discuss the qualifications and approval of a short-term replacement while a permanent Designated Biologist is proposed to the CPM for consideration. | (If Needed) | At least 10 working days prior to the termination or release of the preceding Designated Biologist | Ongoing | | As-needed | NA | CH2 | |
| BIO | BIO-2a | CONS | DESIGNATED BIOLOGIST DUTIES: The Designated Biologist shall perform the duties (1) through (9) during any site (or related facilities) mobilization, ground disturbance, grading, construction, operation, and closure activities. The Designated Biologist may be assisted by the approved Biological Monitor(s), but remains the contact for the project owner and CPM. | The Designated Biologist shall submit in the Monthly Construction Compliance Report to the CPM copies of all written reports and summaries that document biological resources activities. Monthly Compliance Reports shall also be submitted to the East Contra Costa County Habitat Conservancy. | MCR | Monthly | Ongoing | | In-progress | NA | CH2/CCGS | |

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| BIO | BIO-2b | OPS | DESIGNATED BIOLOGIST DUTIES: 1. Advise the project owner's Construction and Operation Managers on the implementation of the biological resources Conditions of Certification. | If actions may affect biological resources during operation, a Designated Biologist shall be available for monitoring and reporting. During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report unless their duties are determined to be unnecessary by the CPM. | ACR | As-needed and Annually Throughout Operation | Ongoing | | Not Started | NA | CCGS | |
| BIO | BIO-3a | PC | BIOLOGICAL MONITOR QUALIFICATIONS: The project owner's CPM-approved Designated Biologist shall submit the resumes, including at least 3 references and contact information, of the proposed Biological Monitors to the CPM for approval. Biological Monitors training by the Designated Biologist shall include familiarity with the Conditions of Certification and the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP), WEAP, and all state, federal, and local permits. | Submit the specified information to the CPM for approval no less than 30 days prior to the start of any site (or related facilities) mobilization. The Designated Biologist shall submit a written statement to the CPM confirming that the individual Biological Monitor(s) have been trained including the date when training was completed. | BM's Quals | At least 30 days prior to the start of site mobilization | | CEC approved via BRMIMP 6/11 | Completed/As-needed | NA | CH2 | Resumes submitted on 4/12/11. |
| BIO | BIO-3b | CONS | ADDITIONAL BIOLOGICAL MONITORS | If additional biological monitors are needed during construction, the specified information shall be submitted to the CPM for approval no less than 10 days prior to their first day of monitoring activities. | (If Needed) | No less than 10 days prior to BM's first day of monitoring | Ongoing | | As-needed | NA | CH2 | |
| BIO | BIO-4 | OPS | DESIGNATED BIOLOGIST AND BIOLOGICAL MONITOR AUTHORITY: The project owner's Construction/Operation Manager shall act on the advice of the Designated Biologist and Biological Monitor(s) to ensure conformance with the biological resources Conditions of Certification. If required by the Designated Biologist and Biological Monitor(s) all operation activities shall be halted in areas specified by the Designated Biologist. The Designated Biologist shall halt activities in accordance with steps (1) through (3) of this condition. If the Designated Biologist is unavailable for direct consultation, the Biological Monitor shall act on behalf of the Designated Biologist. | The Designated Biologist or Biological Monitor shall notify the CPM immediately (and no later than the following morning of the incident, or Monday morning in the case of a weekend) of any non-compliance or a halt of any activities. The project owner shall notify the CPM of the circumstances and actions being taken to resolve the problem. Whenever corrective action is taken by the project owner, a determination of success or failure will be made by the CPM within 5 working days after receipt of notice that corrective action is completed, or the project owner will be notified by the CPM that coordination with other agencies will require additional time before a determination can be made. | (If Needed) | Immediately | Ongoing | | As-needed | NA | CCGS | |
| BIO | BIO-4 | CONS | DESIGNATED BIOLOGIST AND BIOLOGICAL MONITOR AUTHORITY: The project owner's Construction/Operation Manager shall act on the advice of the Designated Biologist and Biological Monitor(s) to ensure conformance with the biological resources Conditions of Certification. If required by the Designated Biologist and Biological Monitor(s) all site mobilization, ground disturbance, grading and construction activities shall be halted in areas specified by the Designated Biologist. The Designated Biologist shall halt activities in accordance with steps (1) through (3) of this condition. If the Designated Biologist is unavailable for direct consultation, the Biological Monitor shall act on behalf of the Designated Biologist. | The Designated Biologist or Biological Monitor shall notify the CPM immediately (and no later than the following morning of the incident, or Monday morning in the case of a weekend) of any non-compliance or a halt of any activities. The project owner shall notify the CPM of the circumstances and actions being taken to resolve the problem. Whenever corrective action is taken by the project owner, a determination of success or failure will be made by the CPM within 5 working days after receipt of notice that corrective action is completed, or the project owner will be notified by the CPM that coordination with other agencies will require additional time before a determination can be made. | (If Needed) | Immediately | Ongoing | | As-needed | NA | CH2 | |
| BIO | BIO-5a | PC | WORKER ENVIRONMENTAL AWARENESS PROGRAM (WEAP): Develop and implement a CPM-approved WEAP as described in this condition. The specific program can be administered by a competent individual(s) acceptable to the Designated Biologist. | No less than 60 days prior to the start of any site (or related facilities) mobilization, the project owner shall provide to the CPM the proposed WEAP and all supporting written materials and electronic media prepared or reviewed by the Designated Biologist and a resume of the person(s) administering the program. | WEAP | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO5b | PC | WORKER ENVIRONMENTAL AWARENESS PROGRAM (WEAP): Develop and implement a CPM-approved WEAP as described in this condition. | At least 10 days prior to site and related facilities mobilization, the project owner shall submit two copies of the CPM-approved materials. | WEAP | At least 10 days prior to start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-5c | CONS | Implement a CPM-approved WEAP in which each employee, as well as employees of contractors and subcontractors who work on the project site or related facilities during site mobilization, ground disturbance, grading, construction, operation, and closure are informed about sensitive biological issues associated with the project site. | The project owner shall provide 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. | MCR | Monthly | Ongoing | | In-progress | NA | CCGS | |
| BIO | BIO-5d | OPS | Implement a CPM-approved WEAP in which each employee, as well as employees of contractors and subcontractors who work on the project site or related facilities during site mobilization, ground disturbance, grading, construction, operation, and closure are informed about sensitive biological issues associated with the project site. | Training acknowledgement forms signed during construction shall be kept on file by the project owner for a period of at least 6 months after the start of commercial operation. During project operation, signed statements for operational personnel shall be kept on file for 6 months following the termination of an individual's employment. | -- | At least 6 months after the start of commercial operation | Ongoing | | Not Started | NA | CCGS | |
| BIO | BIO-6a | PC | BIOLOGICAL RESOURCES MITIGATION IMPLEMENTATION AND MONITORING PLAN (BRMIMP): Develop a BRMIMP and submit two copies of the proposed BRMIMP to the CDFG, USFWS, and East Contra Costa County Habitat Conservancy for review and comment and the CPM for approval and implement the measures identified in the approved BRMIMP. The BRMIMP shall be prepared in consultation with the Designated Biologist and shall identify items (1) through (16) of this condition. | Provide the draft BRMIMP to the CPM at least 60 days prior to start of any site (or related facilities) mobilization. The CPM, in consultation with other appropriate agencies. | BRMIMP | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |

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| BIO | BIO-6b | PC | BRMIMP - Additional permits | If there are any permits that have not yet been received when the BRMIMP is first submitted, these permits shall be submitted to the CPM within 5 days of their receipt, and the BRMIMP shall be revised or supplemented to reflect the permit condition within 10 days of their receipt by the project owner. Ten days prior to site and related facilities mobilization the revised BRMIMP shall be resubmitted to the CPM. | BRMIMP | At least 10 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-6c | CONS | BRMIMP - Modifications | The project owner shall notify the CPM no less than 5 working days before implementing any modifications to the approved BRMIMP to obtain CPM approval. Any changes to the approved BRMIMP must also be approved by the CPM in consultation with other appropriate agencies to ensure no conflicts exist. | (If Needed) | At least 5 working days before implementing modification to approved BRMIMP | Ongoing | | As-needed | NA | CH2 | |
| BIO | BIO-6d | CONS | BRMIMP - Monthly Compliance Reports | Implementation of BRMIMP measures will be reported in the Monthly Compliance Reports by the Designated Biologist (i.e., survey results, construction activities that were monitored, species observed). | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-6e | CONS | BRMIMP - Construction Completion Reports | Within 30 days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written construction closure report identifying which items of the BRMIMP have been completed, a summary of all modifications to mitigation measures made during the project's site mobilization, ground disturbance, grading, and construction phases, and which mitigation and monitoring items are still outstanding. Additional copies shall be provided to East Contra Costa Habitat Conservancy, CDFG and USFWS. | Construction Closure Report | Within 30 days after completion of project construction | TBD | | Not Started | NA | CH2 | |
| BIO | BIO-7a | PC | GENERAL IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Measures (1) through (10) of this condition shall be implemented to avoid and minimize impacts to biological resources from the proposed project during all phases of the project. | All mitigation measures and their implementation methods shall be included in the BRMIMP. | BRMIMP | At least 10 days prior to start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-7b | CONS | GENERAL IMPACT AVOIDANCE AND MINIMIZATION MEASURES | Implementation of the measures will be reported in the Monthly Compliance Reports by the Designated Biologist. Photographic verification of installation of bird flight diverters will be provided upon installation and will be provided in the Monthly Compliance Report. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-7c | CONS | GENERAL IMPACT AVOIDANCE AND MINIMIZATION MEASURES | Within 30 days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written construction termination report identifying how measures have been completed. Additional copies shall be provided to the East Contra Costa County Habitat Conservancy, CDFG, and USFWS. | Construction Completion (Termination) Report | Within 30 days after completion of project construction | TBD | | Not Started | NA | CH2 | |
| BIO | BIO-7d | OPS | GENERAL IMPACT AVOIDANCE AND MINIMIZATION MEASURES | | ---- | ---- | Ongoing | | In-progress | NA | CCGS | Item included to note that General Impact Avoidance and Minimization Measures continue through the life of the project. |
| BIO | BIO-8a | PC | To comply with various protected tree ordinances, the project owner shall mitigate for loss of protected trees based on the results of the project owner's arborist report. Mitigation will be assessed by the CPM in coordination with City of Oakley based on review of the arborist report. | At least 30 days prior to the start of any tree removal, provide to the CPM for review and approval, and to the City of Oakley and City of Antioch for review and comment, the arborist report which identifies all trees to be removed within the City of Oakley and City of Antioch and all protected trees to remain in place at which grading will occur within the drip line within the City of Antioch. | Arborist Report | At least 30 days prior to the start of any tree removal | | | Completed | NA | CH2 | |
| BIO | BIO-8b | CONS | Protected Trees. | A copy of the receipt of payment and/or verification of tree replacement to the City of Oakley verifying that the protected tree mitigation fees have been paid, according to the conditions specified in this condition, shall be provided to the CPM prior to tree removal. | Copy of receipt of payment / Tree permit | Prior to tree removal | TBD | | In-progress | Permit issued 5/27/11; forwarded to CPM on 5/27/11. | CCGS | |
| BIO | BIO-8c | CONS | Protected Trees. | A copy of the verification of 2:1 protected tree replacement or the receipt of payment of penalty fees to the City of Antioch, according to the conditions specified above, shall be provided to the CPM prior to tree removal. Prior to tree removal a copy of the receipt of payment of bond will be submitted by the project owner upon posting a bond to the City of Antioch for any protected trees that would have construction or grading within the dripline or written verification that no protected trees are located where construction or grading activities would occur. | Verification Letter/Copy of receipt of payment/Tree permit | Prior to tree removal | TBD | | In-progress | NA | CCGS | |

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| BIO | BIO-9a | PC | PRE-CONSTRUCTION NEST SURVEYS AND IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Pre-construction nest surveys shall be conducted if construction activities including tree removal will occur from February 1 through September 15. The Designated Biologist or Biological Monitor shall perform surveys in accordance with the guidelines of this condition. | Prior to the start of any pre-construction site mobilization, provide the CPM and the East Contra Costa County Habitat Conservancy a letter-report describing the findings of the pre-construction nest surveys, including the time, date, and duration of the survey; identity and qualifications of the surveyor(s); and a list of species observed. If active nests are detected during the survey, the report shall include a map or aerial photo identifying the location of the nest and shall depict the boundaries of the no disturbance buffer zone around the nest. | Letter Report | At least 10 days prior to the start of ground disturbing activities | | CEC approved on 8/2/11 | Completed | NA | CH2 | Pre-Construction Nest Survey Report prior to tree removal submitted to CEC on 8/1/11. |
| BIO | BIO-9b | PC | PRE-CONSTRUCTION NEST SURVEYS AND IMPACT AVOIDANCE AND MINIMIZATION MEASURES | If active nests are detected during the survey, a monitoring plan shall be submitted to the Conservancy, CDFG and USFWS for review and comment and the CPM for approval. Approval of the plan is required before construction may commence. All impact avoidance and minimization measures related to nesting birds shall be included in the BRMIMP and implemented. | Monitoring Plan | Prior to construction | | CEC approved on 8/2/11 | Completed | NA | CH2 | |
| BIO | BIO-9c | CONS | PRE-CONSTRUCTION NEST SURVEYS AND IMPACT AVOIDANCE AND MINIMIZATION MEASURES | Implementation of the measures shall be reported in the Monthly Compliance Reports by the Designated Biologist. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-9d | CONS | At all times of the year, noise generating activities (above 60 dBA) shall be avoided during dawn and dusk to avoid impacts to birds protected under the Migratory Bird Treaty Act. | | | Year Round | Ongoing | | In-progress | NA | CCGS | |
| BIO | BIO-10a | PC | IMPACT AVOIDANCE AND MINIMIZATION MEASURES FOR BATS | All mitigation measures and their implementation methods shall be included in the BRMIMP. | BRMIMP | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-10b | CONS | IMPACT AVOIDANCE AND MINIMIZATION MEASURES FOR BATS: Implement the measures described in this condition to avoid or minimize impacts on bats. | Implementation of the measures will be reported in the Monthly Compliance Reports by the Designated Biologist. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-10c | PC | IMPACT AVOIDANCE AND MINIMIZATION MEASURES FOR BATS: Removal of roost trees. | The resume of the proposed bat biologist will be submitted to the CPM for approval at least 45 days prior to the start of any bat surveys. | Resume of Bat Biologist | At least 45 days prior to start of bat surveys | | | Completed | NA | CH2 | |
| BIO | BIO-10d | PC | IMPACT AVOIDANCE AND MINIMIZATION MEASURES FOR BATS | A written report summarizing the results of the pre-construction survey shall be sent to the CPM and CDFG no less than 15 days prior to the start of pre-construction site mobilization which will include documentation of any active roost trees to be removed. The report shall describe survey methods, including the time, date, and duration of the survey, identity and qualifications of the surveyor(s), and a list of species observed, a figure showing roost locations observed, and proposed mitigation and exclusion measures. | Survey Report | At least 15 days prior to start of ground disturbance | | | Completed | NA | CH2 | |
| BIO | BIO-10e | CONS | IMPACT AVOIDANCE AND MINIMIZATION MEASURES FOR BATS | If active roost trees are to be removed, reporting and surveying must be completed as outlined in this condition. Within 10 days of removal of trees with roost sites, the project owner shall submit a report describing the results of the exclusion, mitigation measures, and tree removal. | Bat Exclusion, Mitigation Measures and Tree Removal Report | Within 10 days of removal of roost trees | | CEC approved on 8/2/11 | Completed | NA | CH2 | Pre-Construction Bat Survey Report prior to tree removal submitted to CEC on 8/1/11. |
| BIO | BIO-11a | PC | SWAINSON'S HAWK IMPACT AVOIDANCE AND MINIMIZATION MEASURES | All mitigation measures and their implementation methods shall be included in the BRMIMP and implemented. | BRMIMP | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-11b | CONS | SWAINSON'S HAWK IMPACT AVOIDANCE AND MINIMIZATION MEASURES: If pre-construction surveys locate Swainson's hawk nests in trees which are to be removed, implement the measures to minimize impacts to known Swainson's hawk nests. Tree removal will not occur while the Swainson's hawk nests are active. | If trees with known nests are to be removed while nests are not active, a written report summarizing the results of the pre-construction survey shall be sent to the CPM, the East Contra Costa County Habitat Conservancy (Conservancy), CDFG, and USFWS no less than 15 days prior to the start of ground disturbance which will include documentation of any known nest trees to be removed. | (If Needed) | No less than 15 days prior to the start of ground disturbance | TBD | | In-progress | NA | CH2 | Pre-construction survey was completed but additional surveys may be needed prior to tree removal. |
| BIO | BIO-11c | CONS | SWAINSON'S HAWK IMPACT AVOIDANCE AND MINIMIZATION MEASURES | Implementation of the measures will be reported in the Monthly Compliance Reports by the Designated Biologist. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-11d | CONS | SWAINSON'S HAWK IMPACT AVOIDANCE AND MINIMIZATION MEASURES | Within 30 days after completion of project construction, provide to the CPM, for review and approval, a written construction termination report identifying how measures have been completed. Additional copies shall be provided to the Conservancy, CDFG, and USFWS. The report will include written verification that any compensation fees for of loss of nest trees have been paid to the Conservancy. | Construction Completion (Termination) Report | Within 30 days after completion of construction | TBD | | Not Started | NA | CH2 | |
| BIO | BIO-11e | OPS | Nest trees, including non-native trees, lost to project activities will be mitigated by the project owner according to the requirements of the ECCC HCP/NCCP. Either pay the Conservancy an additional fee to purchase, plant, maintain, and monitor 15 saplings on the HCP/NCCP Preserve System for every tree lost according to the requirements listed below, OR the project owner will plant, maintain, and monitor 15 saplings for every tree lost at a site to be approved by the Conservancy (e.g., within an HCP/NCCP Preserve or existing open space linked to HCP/NCCP preserves). | Annual Reports will be submitted to the CPM and the Conservancy that document compliance with the ECCC HCP/NCCP requirements for planting and the success of any plantings. Additional copies shall be provided to CDFG and USFWS. | Annual Monitoring Report (if needed) | Annually | Ongoing | | Not Started | NA | CCGS | |

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| BIO | BIO-12a | PC | BURROWING OWL IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Implement the measures in this condition to manage the construction site, and related facilities, in a manner to avoid or minimize impacts to breeding and foraging burrowing owls. Measures include pre-construction surveys, avoidance and minimization measures. | All avoidance and minimization measures related to burrowing owl shall be included in the BRMIMP and implemented. | BRMIMP | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-12b | CONS | BURROWING OWL IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Implement the measures in this condition to manage the construction site, and related facilities, in a manner to avoid or minimize impacts to breeding and foraging burrowing owls. Measures include pre-construction surveys, avoidance and minimization measures. | Perform Pre-Construction Survey and mapping. | Survey | Within 30 days prior to construction | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-12c | CONS | BURROWING OWL IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Preconstruction survey report | Submit a report to the CPM, the East Contra Costa County Habitat Conservancy (Conservancy), CDFG, and USFWS at least 10 days prior to pre-construction site mobilization that describes when surveys were completed, observations, and mitigation measures to be implemented. | Survey Report | At least 10 days prior to ground disturbing activities | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-12d | CONS | BURROWING OWL IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Monthly Compliance Reports | Implementation of the measures shall be reported in the monthly compliance reports by the Designated Biologist. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-12e | CONS | BURROWING OWL IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Owl Relocation Report | Within 30 days after completion of owl passive relocation and monitoring, and the start of construction-related ground disturbance, the project owner shall provide written verification to the CPM, the Conservancy, USFWS, and CDFG that burrowing owl mitigation measures have been completed. | (If Needed) | Within 30 days after completion of owl relocation & monitoring | Ongoing | | As-needed | NA | CH2 | |
| BIO | BIO-13a | PC | AMERICAN BADGER IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Pre-construction surveys shall be conducted concurrent with the San Joaquin kit fox and burrowing owl pre-construction surveys. Surveys shall be conducted as described in this condition. Den avoidance, monitoring, and destruction methods shall adhere to those impact avoidance and minimization measures prescribed for San Joaquin kit fox in Condition BIO-14. | All avoidance and minimization measures related to American badger shall be included in the BRMIMP and implemented. | BRMIMP (See BIO-6) | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-13b | CONS | AMERICAN BADGER IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Pre-construction surveys shall be conducted concurrent with the San Joaquin kit fox and burrowing owl pre-construction surveys. Surveys shall be conducted as described in this condition. Den avoidance, monitoring, and destruction methods shall adhere to those impact avoidance and minimization measures prescribed for San Joaquin kit fox in Condition BIO-14. | Perform Pre-Construction Survey and mapping. | Survey | Concurrent with Burrowing owl and San Joaquin kit fox surveys | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-13c | CONS | AMERICAN BADGER IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Pre-construction surveys shall be conducted concurrent with the San Joaquin kit fox and burrowing owl pre-construction surveys. Surveys shall be conducted as described in this condition. Den avoidance, monitoring, and destruction methods shall adhere to those impact avoidance and minimization measures prescribed for San Joaquin kit fox in Condition BIO-14. | Submit a report to the CPM and CDFG at least 10 days prior to the start of any pre-construction site mobilization that describes when surveys were completed, observations, and mitigation measures to be implemented. | Survey Report | At least 10 days prior to ground disturbing activities | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-13d | CONS | AMERICAN BADGER IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Monthly Compliance Reports | Implementation of the measures shall be reported in the monthly compliance reports by the Designated Biologist. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-13e | CONS | AMERICAN BADGER IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Construction Completion (Termination) Report | Within 30 days after completion of construction of the project, provide to the CPM a written construction termination report identifying how impact minimization measures have been completed. Additional copies shall be provided to the Conservancy, CDFG, and USFWS. | Construction Completion (Termination) Report | Within 30 days after completion of project construction | TBD | | Not Started | NA | CH2 | |
| BIO | BIO-14a | PC | SAN JOAQUIN KIT FOX IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Measures, developed in cooperation with East Contra Costa County Habitat Conservancy (Conservancy), shall be implemented to avoid and minimize impacts to San Joaquin kit fox in accordance with this condition. Measures include pre-construction surveys. If San Joaquin kit fox and/or suitable dens are found measures outlined in this condition shall be implemented. Measures include exclusion zones, den monitoring, and den avoidance (limited destruction of dens may be allowed). | All avoidance and minimization measures related to San Joaquin kit fox shall be included in the BRMIMP and implemented. | BRMIMP | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |

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| BIO | BIO-14b | CONS | SAN JOAQUIN KIT FOX IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Measures, developed in cooperation with East Contra Costa County Habitat Conservancy (Conservancy), shall be implemented to avoid and minimize impacts to San Joaquin kit fox in accordance with this condition. Measures include pre-construction surveys. If San Joaquin kit fox and/or suitable dens are found measures outlined in this condition shall be implemented. Measures include exclusion zones, den monitoring, and den avoidance (limited destruction of dens may be allowed). | The pre-construction survey shall be conducted no more than 30 days prior to the initiation of pre-construction site mobilization on the OGS project site or sanitary sewer line and transmission line corridors. | Survey | No more than 30 days prior to the start of ground disturbance | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-14c | CONS | SAN JOAQUIN KIT FOX IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Survey report | A written report summarizing the results of the pre-construction survey shall be sent to the CPM, the East Contra Costa County Habitat Conservancy (Conservancy), CDFG, and USFWS within 5 working days of survey completion and prior to the start of ground disturbance. | Survey Report | Within 5 working days of survey completion and prior to the start of ground disturbance | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-14d | CONS | SAN JOAQUIN KIT FOX IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Monthly Compliance Report | Implementation of the measures shall be reported in the monthly compliance reports by the Designated Biologist. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-14e | CONS | SAN JOAQUIN KIT FOX IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Construction Completion Report | Within 30 days after completion of construction the project owner shall provide to the CPM a written construction termination report identifying how impact minimization measures have been completed. Additional copies shall be provided to the Conservancy, CDFG, and USFWS. | Construction Completion (Termination) Report | Within 30 days after completion of project construction | TBD | | Not Started | NA | CH2 | |
| BIO | BIO-15a | PC | WESTERN POND TURTLE IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Measures shall be implemented to avoid and minimize impacts to western pond turtle in accordance with this condition. Measures include pre-construction surveys and fencing. | All avoidance and minimization measures related to western pond turtle shall be included in the BRMIMP and implemented | BRMIMP | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-15b | CONS | WESTERN POND TURTLE IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Measures shall be implemented to avoid and minimize impacts to western pond turtle in accordance with this condition. Measures include pre-construction surveys and fencing. | Pre-Construction Survey (conducted in accordance with [BIO-16]. 1. Pre-construction surveys shall be conducted concurrent with the giant garter snake pre-construction surveys. | Survey | No more than 24 hours prior to the initiation of construction | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-15c | CONS | WESTERN POND TURTLE IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Survey Report | Submit a report to the CPM and CDFG at least 10 days prior to the start of any pre-construction site mobilization that describes when western pond turtle surveys were completed, observations, and mitigation measures to be implemented. | Survey Report | At least 10 days prior to ground disturbing activities | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-15d | CONS | WESTERN POND TURTLE IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Monthly Compliance Report | Implementation of the measures shall be reported in the monthly compliance reports by the Designated Biologist. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-15e | CONS | WESTERN POND TURTLE IMPACT AVOIDANCE AND MINIMIZATION MEASURES - Construction Completion (Termination) Report | Within 30 days after completion of construction provide to the CPM a written construction termination report identifying how impact minimization measures have been completed. Additional copies shall be provided to the East Contra Costa County Habitat Conservancy and CDFG. | Construction Completion (Termination) Report | Within 30 days after completion of project construction | TBD | | Not Started | NA | CH2 | |
| BIO | BIO-16a | PC | GIANT GARTER SNAKE IMPACT, AVOIDANCE AND MINIMIZATION MEASURES: Measures, developed in cooperation with East Contra Costa County Habitat Conservancy (Conservancy) shall be implemented to avoid and minimize impacts to giant garter snake (GGS) in accordance with this condition. Measures include preconstruction surveys, minimization measures, exclusion fencing, and USFWS approvals. | All GGS impact avoidance and minimization measures shall be included in the BRMIMP and implemented. | BRMIMP | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-16b | CONS | GIANT GARTER SNAKE IMPACT, AVOIDANCE AND MINIMIZATION MEASURES: Measures, developed in cooperation with East Contra Costa County Habitat Conservancy (Conservancy) shall be implemented to avoid and minimize impacts to giant garter snake (GGS) in accordance with this condition. Measures include preconstruction surveys, minimization measures, exclusion fencing, and USFWS approvals. | The Designated Biologist or a representative approved by the CPM, in consultation with the East Contra Costa County Habitat Conservancy (Conservancy), CDFG, and USFWS, must survey the construction area within potential GGS habitat no more than 24 hours prior to the initiation of construction in the vicinity the GGS habitat along East Antioch Creek. | Survey | No more than 24 hours prior to the initiation of pre-con site mobilization | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-16c | CONS | GIANT GARTER SNAKE IMPACT, AVOIDANCE AND MINIMIZATION MEASURES | Another pre-construction survey must be conducted if construction activity ceases for a period of more than 2 weeks. | Additional Survey | If needed | TBD | | As-needed | NA | CH2 | |
| BIO | BIO-16d | CONS | Giant Garter Snake - Survey Report | Submit a report to the Conservancy, USFWS, CDFG, and the CPM documenting results of pre-construction surveys within 24 hours of commencement of construction activities. The project owner shall submit a report to the Conservancy, USFWS, CDFG, and the CPM if any GGS are found within work areas no more than 24 hours after the sighting is made. | Survey Report | Within 24 hours of commencement of construction activities | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-16e | CONS | Giant Garter Snake - Monthly Compliance Reports | Implementation of the measures shall be reported in the monthly compliance reports by the Designated Biologist. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-16f | CONS | Giant Garter Snake - Construction Completion (Termination) Report | Within 30 days after completion of construction the project owner shall provide to the CPM a written construction termination report identifying how impact minimization measures have been completed. Additional copies shall be provided to the Conservancy, CDFG, and USFWS. | Construction Completion (Termination) Report | Within 30 days after completion of project construction | TBD | | Not Started | NA | CH2 | |

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| BIO | BIO-17a | PC | The following measures, developed in cooperation with East Contra Costa County Habitat Conservancy (Conservancy) shall be implemented to avoid and minimize impacts to California tiger salamander. | All avoidance and minimization measures related to California tiger salamander shall be included in the BRMIMP and implemented. Implementation of the measures shall be reported in the Monthly Compliance Reports by the Designated Biologist. | BRMIMP | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-17b | CONS | Wildlife exclusion fencing and silt fencing shall be installed to protect Wetland D, Wetland E, and Wetland F. "Sensitive Resource Area" signage shall also be installed at each wetland prior to pre-construction site mobilization. | | | Prior to the start of ground disturbance | | | Completed | NA | EPC/CH2 | |
| BIO | BIO-17c | CONS | Wildlife exclusion fencing will be installed to protect the riparian habitat along East Antioch Creek in the vicinity of the intersection of the transmission line right-of-way as described under giant garter snake avoidance and minimization measures prior to pre-construction site mobilization. | | | Prior to start of T-line construction | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-17d | CONS | California Tiger Salamander | Implementation of the measures shall be reported in the monthly compliance reports by the Designated Biologist. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-17e | CONS | California Tiger Salamander | Within 30 days after completion of construction, provide to the CPM a written construction termination report identifying how impact minimization measures have been completed. Additional copies shall be provided to the Conservancy, CDFG, and USFWS. | Construction Completion (Termination) Report | Within 30 days after completion of project construction | TBD | | Not Started | NA | CH2 | |
| BIO | BIO-18a | PC | The following measures, developed in cooperation with East Contra Costa County Habitat Conservancy (Conservancy) shall be implemented to avoid and minimize impacts to California red-legged frog. | All avoidance and minimization measures related to California red-legged frog shall be included in the BRMIMP and implemented. | BRMIMP | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-18b | CONS | Wildlife exclusion fencing will be installed to protect the riparian habitat along East Antioch Creek in the vicinity of the intersection of the transmission line right-of-way as described under giant garter snake avoidance and minimization measures. | | | Prior to start of T-line construction | TBD | | In-progress | NA | CH2 | Pre-construction surveys were completed but additional surveys will be required prior to the start of T-line and water line construction. |
| BIO | BIO-18c | CONS | California Red-legged Frog Impact Avoidance and Minimization Measures - Monthly Compliance Reports | Implementation of the measures shall be reported in the monthly compliance reports by the Designated Biologist. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| BIO | BIO-18d | CONS | California Red-legged Frog Impact Avoidance and Minimization Measures - Construction Completion (Termination) Report | Within 30 days after completion of construction provide to the CPM a written construction termination report identifying how impact minimization measures have been completed. Additional copies shall be provided to the Conservancy, CDFG, and USFWS. | Construction Completion (Termination) Report | Within 30 days after completion of project construction | TBD | | Not Started | NA | CH2 | |
| BIO | BIO-19a | PC | Wetland E Monitoring and Adaptive Management Plan: Develop and implement a Wetland E Post-construction Management Plan (Plan). The plan must be prepared in accordance with this condition. The plan must be developed by the project owner in coordination with the CPM and CDFG. | Prior to the start of any construction-related ground disturbance submit a draft Wetland E Monitoring and Adaptive Management Plan to the CPM, California Department of Fish and Game (CDFG), and the Central Valley RWQCB (CV RWQCB). The CPM in consultation with CDFG and the CV RWQCB, will determine the plan's acceptability. | Draft Management Plan | At least 60 days prior to the start of ground disturbance | | | Completed | NA | CH2 | |
| BIO | BIO-19b | PC | Wetland E Post-construction Management Plan | Prior to the start of any construction-related ground disturbance, provide the CPM with the final version of the Wetland E Monitoring and Adaptive Management Plan that has been reviewed and approved by the CPM, in consultation with CDFG and the CV RWQCB. All modifications to the Wetland E Monitoring and Adaptive Management Plan shall be made only after approval from the CPM, in consultation with CDFG and the CV RWQCB. | Final Management Plan | At least 15 days prior to the start of ground disturbance | | | Completed | NA | CH2 | |
| BIO | BIO-19c | CONS | Wetland E Post-construction Management Plan | Habitat improvements shall be initiated no later than 12 months from the start of construction. | Habitat improvements | No later than 12 months from the start of construction, | TBD | | Not Started | NA | CCGS | |
| BIO | BIO-19d | CONS | Wetland E Post-construction Management Plan | Within 30 days after completion of project construction, provide to the CPM for review and approval a report identifying which items of the Wetland E Monitoring and Adaptive Management Plan have been completed. | Report | within 30 days after completion of construction | TBD | | Not Started | NA | CCGS | |
| BIO | BIO-19-e | CONS | Wetland E Post-construction Management Plan | Submit annual reports to the CPM, CDFG, and the CV RWQCB describing planting, monitoring, and maintenance activities implemented as well as documentation of compliance with all goals, objectives and performance standards in the Wetland E Monitoring and Adaptive Management Plan. Annual monitoring reports will be submitted to the CPM and CDFG for review and approvals for years 1, 2, 3, 4, and 5, with the first year beginning one year after the habitat improvements are implemented. Habitat improvements are to be implemented concurrently with initiation of the OGS project. Annual monitoring reports shall be submitted to the CPM for review and approval and to the CDFG for review and comment annually within 30 days of the anniversary date of the commencement of habitat improvements for the life of the project. | Annual Monitoring Report | Ongoing throughout the life of the project | Ongoing | | Not Started | NA | CCGS | |

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| BIO | BIO-19-f | OPS | Wetland E Post-construction Management Plan | The project owner shall submit an addendum to the CPM for review and approval and to CDFG and CV RWQCB for review and comment prior to implementing adaptive management measures. | Adaptive Management Measures | As-needed | Ongoing | | As-needed | NA | CCGS | |
| BIO | BIO-20a | OPS | Antioch Dunes National Wildlife Refuge Funding: Annual payment to California Wildlife Foundation or other third-party approved by USFWS to assist in noxious weed management and its effects at the Antioch Dunes National Wildlife Refuge. Management activities funded may include but are not limited to: captive breeding and release of Lange's metalmark butterfly; propagation and transplantation of naked-stem buckwheat, Contra Costa wallflower, and Antioch Dunes evening primrose; noxious weed eradication using grazing animals, hand tools, and/or appropriate mechanical equipment. The first annual payment shall be no less than $5,000.78. Each subsequent annual payment shall be adjusted for inflation in accordance with the Employment Cost Index – West or its successor, as reported by the U.S. Department of Labor's Bureau of Labor Statistics. Payment shall be made annually for the duration of project operation. | Provide written verification to the CPM, USFWS, and CDFG that the first-annual payment was made to the California Wildlife Foundation or other third-party approved by USFWS in accordance with this condition of certification. The project owner shall provide evidence that it has specified that its annual payment to California Wildlife Foundation or other third-party approved by USFWS can be used only to assist in noxious weed management and remediation of its effects (e.g., activities to support continued survival of Lange's metalmark butterfly, Contra Costa wallflower, and Antioch Dunes evening primrose) at the Antioch Dunes National Wildlife Refuge as directed by the USFWS. | Written Verification | No later than 30 days following the start of project operation | TBD | | Not Started | NA | CCGS | |
| BIO | BIO-20b | OPS | Antioch Dunes National Wildlife Refuge Funding | Annually for the operating life of the project, provide written verification to the CPM, USFWS, and CDFG that payment has been made to the California Wildlife Foundation or other third-party approved by USFWS in accordance with this condition of certification. | Written Verification | Annually - within 30 days after each anniversary date | Ongoing | | Not Started | NA | CCGS | |
| BIO | BIO-20c | OPS | Antioch Dunes National Wildlife Refuge Funding | The project owner also shall request an annual report from the California Wildlife Foundation or other third-party approved by USFWS documenting how each annual payment required hereunder was used and applied to assist in noxious weed management at the Antioch Dunes National Wildlife Refuge. The project owner shall provide copies of such reports to the CPM within thirty (30) days after receipt. | Annual Report | Annually - within 30 days after receipt of report from California Wildlife Foundation | Ongoing | | Not Started | NA | CCGS | |
| BIO | BIO-21 | PC | East Contra Costa County Habitat Conservation Plan/Natural Communities Conservation Plan Mitigation Fees: Payment of mitigation fees for temporary and permanent impacts based on the acres of impact (staff assumes a 1:1 mitigation ratio for temporary and permanent impacts) as a one-time development fee of $227,408 or updated fee as adjusted by the East Contra Costa County Habitat Conservancy (Conservancy), pending the approval date and the Annual Adjustment of mitigation fees. As a Participating Special Entity, the project owner would make a $200,000 contribution to recovery of endangered and threatened species. The project owner would also make a contribution to complementary conservation planning as determined by Conservancy's Governing Board. | A copy of the receipt of payment issued to Conservancy, verifying the funds have been paid, shall be provided to the CPM within 30 days prior to site or related facilities mobilization. | Copy of receipt of payment | 30 days prior to pre-con site mobilization | | | Completed | NA | CCGS | |
| BIO | BIO-22a | PC | East Contra Costa County Habitat Conservation Plan/Natural Communities Conservation Plan Certificate of Inclusion. | The terms and conditions contained in the incidental take permit shall be incorporated into the project's BRMIMP and implemented. | BRMIMP (See BIO-6) | At least 60 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| BIO | BIO-22b | PC | East Contra Costa County Habitat Conservation Plan/Natural Communities Conservation Plan Certificate of Inclusion: The project owner shall provide a copy of the final East Contra Costa County Habitat Conservation Plan /Natural Communities Conservation Plan (ECCC HCP/NCCP) Certificate of Inclusion (permit) prior to pre-construction site mobilization. | Within 5 business days of its receipt, the project owner shall submit to the CPM a copy of the East Contra Costa County Habitat Conservancy's Certificate of Inclusion (permit) and verify that the permit terms and conditions are incorporated into the BRMIMP and will be implemented. | Copy of Permit | Within 5 business days of receipt | | ECCCHC approved on 9/29/11 | Completed | NA | CCGS | Amendment 1 to the PSE for additional laydown yard/parking area/ tree removal submitted to ECCCHC on 9/15/11. |
| BIO | BIO-23 | CONS | The project owner shall provide a copy of any U.S. Fish and Wildlife permit issued for the OGS Project (e.g., Incidental Take Permit). The terms and conditions contained in the permit shall be incorporated into the project's BRMIMP and implemented by the project owner. | Project owner shall provide a copy of any USFWS permit issued for the OGS project within 15 days of issuance. | Copy of Permit | (If Needed) | As-needed | ECCCHC PSE issued on 3/18/11 | Completed | NA | CH2 | An ITP is not required. The ECCCHCP/PSE issued on 3/18/11 satisfies the requirement for an ITP. |
| CIVIL | CIVIL-1a | CONS | Submit to the CBO for review and approval the drainage and grading design, erosion & sediment control plan, related calculations & specifications, and the soils, geotechnical, or foundation reports. | At least 15 days (or project owner- and CBO-approved alternative time frame) prior to the start of site grading, submit the documents described in this condition to the CBO for design review and approval. | Drainage & grading design / DESCP / related calcs & specs / soils, geotechnical, or foundation reports | At least 15 days prior to the start of site grading | Ongoing | CBO approved on 6/3/11 | Completed | NA | EPC | |
| CIVIL | CIVIL-1b | CONS | Submit to the CBO for review and approval the drainage and grading design, erosion & sediment control plan, related calculations & specifications, and the soils, geotechnical, or foundation reports. | 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. | MCR | Monthly | Ongoing | CEC | Completed | NA | EPC | Submitted in MCR No. 1 on 8/12/11. |
| CIVIL | CIVIL-2 | CONS | The resident engineer shall, if appropriate, stop all earthwork and construction in the affected areas when the responsible engineer identifies unforeseen adverse soil or geologic conditions. Submit modified plans, specifications, and calculations to the CBO based on these new conditions, and obtain approval from the CBO before resuming work. | 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. Within 24 hours of the CBO's approval to resume earthwork and construction in the affected areas, provide to the CPM a copy of the CBO's approval. | (If Needed) | Within 24 hours of work stopped | As-needed | | As-needed | NA | EPC | |

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| CIVIL | CIVIL-3a | CONS | Perform inspections in accordance with the 2010 CBC, and this condition. If it is discovered that the work is not being performed in accordance with the approved plans, the discrepancies shall be reported immediately to the resident engineer, the CBO, and the CPM. Prepare a written report, with copies to the CBO and the CPM, detailing all discrepancies, non-compliance items, and the proposed corrective action. | 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. Within five days of resolution of the NCR, submit the details of the corrective action to the CBO and the CPM. | (If Needed) | Within five days of the discovery of any discrepancies | As-needed | | As-needed | NA | EPC | |
| CIVIL | CIVIL-3b | CONS | Inspections - NCR | A list of NCRs, for the reporting month, shall be included in the following monthly compliance report. | (If Needed) | Monthly | As-needed | | As-needed | NA | EPC | Include in MCR within 5 days following resolution of NCR. |
| CIVIL | CIVIL-4a | CONS | After completion of finished grading and erosion and sedimentation control and drainage work, obtain the CBO's approval of the final grading plans (including final changes) for the erosion and sedimentation control work. The civil engineer shall state that the work within his/her area of responsibility was done in accordance with the final approved plans. | Within 30 days (or project owner- and CBO-approved alternative time frame) of the completion of the erosion and sediment control mitigation and drainage work, 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, along with a copy of the transmittal letter to the CPM. | Final Grading Plans / Signed statement from Civil Engineer | Within 30 days of the completion of the erosion and sediment control mitigation and drainage work | TBD | | In-progress | NA | EPC | |
| CIVIL | CIVIL-4b | CONS | Grading and erosion. | Submit a copy of the CBO's approval to the CPM in the next Monthly Compliance Report. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | 1-time: MCR following completion of the erosion and sediment control mitigation and drainage work. |
| CUL | CUL-1a | PC | Obtain the services of a Cultural Resources Specialist (CRS) and one or more alternate CRSs (at the project owner's option). The CRS shall perform duties as described in this condition. No construction-related ground disturbance shall occur prior to Compliance Project Manager (CPM) approval of the CRS and alternates, unless such activities are specifically approved by the CPM. The resumes for the CRS and alternate(s) shall demonstrate to the satisfaction of the CPM that the CRS/alternate CRS has the appropriate training and experience to implement effectively the Conditions, qualifications in accordance with items 1 through 3 of this condition and the names and telephone numbers of contacts familiar with the work of the CRS/alternate CRS on referenced projects. | At least 45 days prior to the start of construction-related ground disturbance, submit the resume for the CRS, and alternate(s) if desired, to the CPM for review and approval. | CRS & Alternates Resume | At least 45 days prior to the start of ground disturbance | | CEC approved via CRMMP 5/11 | Completed | NA | CH2 | Resume for Clint Helton (CH2M HILL), CRS, submitted on 4/19/11. Resume for CRS Alternate submitted on 4/29/11. |
| CUL | CUL-1b | PC | CRS | At least 10 days prior to the start of construction-related ground disturbance, 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. | Confirmation of onsite CRS availability | At least 10 days prior to the start of construction-related ground disturbance | | | Completed | NA | CH2 | |
| CUL | CUL-1c | CONS | After all ground disturbance is completed and the CRS has fulfilled all responsibilities specified in these cultural resources conditions, the project owner may discharge the CRS, if the CPM approves. With the discharge of the CRS, these cultural resources conditions no longer apply to the activities of this power plant. | At least 10 days prior to a termination or release of the CRS, or within 10 days after the resignation of a CRS, submit the resume of the proposed new CRS, if different from the alternate CRS, to the CPM for review and approval. At the same time, also provide the AFC and all materials described in this condition to the proposed new CRS. If the CRS is terminated and there is no alternate CRS in place to conduct the duties of the CRS, a previously approved monitor may temporarily serve in place of a CRS for a maximum of 3 days. If cultural resources are discovered during that time, then construction-related ground disturbance shall halt and remain halted until there is a CRS or alternate CRS to make a recommendation regarding significance. | (If Needed) | At least 10 days prior to a termination or release of the CRS, or within 10 days after the resignation of a CRS | Ongoing | | As-needed | NA | CH2 | |
| CUL | CUL-1d | PC | The CRS may elect to obtain the services of Cultural Resources Monitors (CRMs), if needed, to assist in monitoring, mitigation, and curation activities. CRMs shall have the following qualifications in accordance with items 1 through 3 for CRMs of this condition. | At least 20 days prior to construction-related ground disturbance, the CRS shall provide a letter to the CPM naming CRMs for the project and attesting that the identified CRMs meet the minimum qualifications for cultural resources monitoring required by this condition. | Letter naming CRMs | At least 20 days prior to ground disturbance | | CEC approved via CRMMP 5/11, and on 8/17/11, 8/28/11 and 2/13/12 | Completed/As-needed | NA | CH2 | CRS submitted names of additional CRM on 4/29/11, 8/12/11, 8/18/11 and 2/3/12. |
| CUL | CUL-1e | CONS | The CRS may elect to obtain the services of additional or alternate Cultural Resources Monitors (CRMs), if needed, to assist in monitoring, mitigation, and curation activities. CRMs shall have the following qualifications in accordance with items 1 through 3 for CRMs of this condition. | At least 5 days prior to additional CRMs beginning on-site duties during the project, the CRS shall provide additional letters to the CPM identifying the CRMs and attesting to their qualifications. | Letter naming CRMs | At least 5 days prior to new CRMs beginning on-site duties (as needed) | Ongoing | CEC approved via CRMMP 5/11, and on 8/17/11, 8/28/11 and 2/13/12 | Completed/ As-needed | NA | CH2 | CRS submitted names of additional CRM on 4/29/11, 8/12/11, 8/18/11 and 2/3/12. |
| CUL | CUL-1f | CONS | The CRS may elect to obtain the services of other technical specialists, if needed, to assist in monitoring, mitigation, and curation activities. The resume(s) of any additional technical specialist(s), e.g., historical archaeologist, historian, architectural historian, and/or physical anthropologist, shall be submitted to the CPM for approval. | At least 10 days prior to any technical specialists beginning tasks, the resume(s) of the specialists shall be provided to the CPM for review and approval. | As needed technical specialists Quals | At least 10 days prior to any technical specialists beginning tasks | Ongoing | | As-needed | NA | CH2 | |

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| CUL | CUL-2a | PC | Prior to the start of construction-related ground disturbance, the start of each phase, and weekly, provide the CRS with the materials described in this condition. No construction-related ground disturbance shall occur prior to CPM approval of maps and drawings, unless such activities are specifically approved by the CPM. | At least 40 days prior to the start of construction-related ground disturbance, provide the AFC, data responses, confidential cultural resources documents, and the Energy Commission FSA to the CRS, if needed, and the subject maps and drawings to the CRS and CPM. The CPM will review submittals in consultation with the CRS and approve maps and drawings suitable for cultural resources planning activities. | Maps and drawings | At least 40 days prior to the start of construction-related ground disturbance | | | Completed | NA | CH2 | |
| CUL | CUL-2b | CONS | Prior to the start of construction-related ground disturbance, the start of each phase, and weekly, provide the CRS with the materials described in this condition. No construction-related ground disturbance shall occur prior to CPM approval of maps and drawings, unless such activities are specifically approved by the CPM. | At least 15 days prior to the start of construction-related ground disturbance, if there are changes to any construction-related footprint, provide revised maps and drawings for the changes to the CRS and CPM. | Updated maps and drawings | At least 15 days prior to start of construction-related ground disturbance | Ongoing | | In-progress | NA | EPC | |
| CUL | CUL-2c | CONS | Prior to the start of construction-related ground disturbance, the start of each phase, and weekly, provide the CRS with the materials described in this condition. No construction-related ground disturbance shall occur prior to CPM approval of maps and drawings, unless such activities are specifically approved by the CPM. | At least 15 days prior to each phase of a phased project, provide maps and drawings, if not previously provided, to the CRS and CPM. | Maps and drawings | At least 15 days prior to start of new phase of construction | Ongoing | | In-progress | NA | EPC | |
| CUL | CUL-2d | CONS | Prior to the start of construction-related ground disturbance, the start of each phase, and weekly, provide the CRS with the materials described in this condition. No construction-related ground disturbance shall occur prior to CPM approval of maps and drawings, unless such activities are specifically approved by the CPM. | Weekly during construction-related ground disturbance, a current schedule of anticipated project activity shall be provided to the CRS and CPM by letter, e-mail, or fax. | Current schedule | Weekly during ground disturbance | Ongoing | | In-progress | NA | EPC | |
| CUL | CUL-2e | CONS | The project owner shall notify the CRS and CPM of any changes to the scheduling of the construction phases. | Within 5 days of changing the scheduling of phases of a phased project, provide written notice of the changes to the CRS and CPM. | Change in schedule of phases | Within 5 days of changing schedule | Ongoing | | As-needed | NA | EPC | |
| CUL | CUL-3a | PC | Submit the Cultural Resources Monitoring and Mitigation Plan (CRMMP), as prepared by or under the direction of the CRS and as described in this condition, to the CPM for review and approval. Implementation of the CRMMP shall be the responsibility of the CRS and the project owner. No construction-related ground disturbance shall occur prior to CPM approval of the CRMMP, unless such activities are specifically approved by the CPM. | Upon approval of the CRS proposed by the project owner, the CPM will provide to the project owner an electronic copy of the draft model CRMMP for the CRS. At least 30 days prior to the start of construction-related ground disturbance, submit the CRMMP to the CPM for review and approval. | CRMMP | At least 30 days prior to the start of construction-related ground disturbance | | | Completed | NA | CH2 | |
| CUL | CUL-3b | PC | CRMMP | At least 30 days prior to the start of construction-related ground disturbance, in a letter to the CPM, agree to pay curation fees for any materials generated or collected as a result of the archaeological investigations (survey, testing, data recovery). | Letter confirming agreement to pay curation fees | At least 30 days prior to the start of construction-related ground disturbance | | | Completed | NA | CCGS | |
| CUL | CUL-3c | CONS | Copies of the CRMMP shall reside with the CRS, alternate CRS, each CRM, and the project owner's on-site construction manager. | | -- | Throughout Construction | Ongoing | | In-progress | NA | CCGS | |
| CUL | CUL-4a | CONS | Submit the final Cultural Resources Report (CRR) to the CPM for approval. The final CRR shall be prepared as described in this condition. | Within 90 days after completion of construction-related ground disturbance (including landscaping), submit the final CRR to the CPM for review and approval. If any reports have previously been sent to the CHRIS, then receipt letters from the CHRIS or other verification of receipt shall be included in an appendix. | CRR | Within 90 days after completion of ground disturbance | TBD | | Not Started | NA | CH2 | |
| CUL | CUL-4b | CONS | CRR | Within 90 days after completion of construction-related ground disturbance, if cultural materials requiring curation were generated or collected, provide to the CPM a copy of an agreement with, or other written commitment from, a curation facility that meets the standards stated in the California State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections, to accept cultural materials, if any, from this project. Any agreements concerning curation will be retained and available for audit for the life of the project. | Commitment from Curation Facility | Within 90 days after completion of ground disturbance | Ongoing | | As-needed | NA | CH2 | Only applies if cultural materials are recovered that require curation. |
| CUL | CUL-4c | CONS | CRR | Within 10 days after CPM approval of the CRR, provide documentation to the CPM confirming that copies of the final CRR have been provided to the SHPO, the CHRIS, the curating institution, if archaeological materials were collected, and to the Tribal Chairpersons of any Native American groups requesting copies of construction-related reports. | Confirmation that CRR has been provided to required agencies | Within 10 days after CPM approval of the CRR | TBD | | Not Started | NA | CH2 | |
| CUL | CUL-4d | CONS | If the project owner requests a suspension of construction-related ground disturbance and/or construction activities, then a draft CRR that covers all cultural resources activities associated with the project shall be prepared by the CRS and submitted to the CPM for review and approval on the same day as the suspension/extension request. The draft CRR shall be retained at the project site in a secure facility until construction-related ground disturbance and/or construction resumes or the project is withdrawn. If the project is withdrawn, then a final CRR shall be submitted to the CPM for review and approval at the same time as the withdrawal request. | Within 30 days after requesting a suspension of construction activities, submit a draft CRR to the CPM for review and approval. If the project is withdrawn, submit a final CRR at the same time as the withdrawal request. | CRR | Within 30 days after requesting a suspension of construction activities | Ongoing | | Not Started | NA | CH2 | |

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| CUL | CUL-5a | PC | Prior to and for the duration of construction-related ground disturbance, provide Worker Environmental Awareness Program (WEAP) training, as described in the condition to all new workers within their first week of employment. No construction-related ground disturbance shall occur prior to implementation of the WEAP program, unless such activities are specifically approved by the CPM. | At least 30 days prior to the beginning of construction-related ground disturbance, the CRS shall provide the training program draft text and graphics and the informational brochure to the CPM for review and approval. At least 15 days prior to the beginning of construction-related ground disturbance, the CPM will provide to the project owner a WEAP Training Acknowledgment form for each WEAP-trained worker to sign. | WEAP | At least 30 days prior to the beginning of ground disturbance | | | Completed | NA | CH2 | |
| CUL | CUL-5b | CONS | WEAP TRAINING | Monthly, until construction-related ground disturbance is completed, provide in the Monthly Compliance Report (MCR) the WEAP Training Acknowledgment forms of workers who have completed the training in the prior month and a running total of all persons who have completed training to date. | Signed WEAP Training Forms | Monthly | Ongoing | | In-progress | NA | EPC | |
| CUL | CUL-6a | CONS | The CRS, alternate CRS, or CRMs shall monitor full time, as described in this condition, all construction-related ground disturbance at the project site to ensure there are no impacts to undiscovered resources and to ensure that known resources are not impacted in an unanticipated manner. The CRMs shall keep a daily log of monitoring and other cultural resources activities, as specified in this condition. As described in this condition, archaeological monitoring of all earth-moving activities shall be implemented, in the areas specified in this condition, for as long as the CPM requires. The research design in the CRMMP shall govern the collection, treatment, retention/disposal, and curation of any archaeological materials encountered. From the daily monitoring logs, the CRS shall compile a monthly monitoring summary report to be included in the MCR, as specified in this condition. | Monthly, while monitoring is on-going, include in each MCR a copy of the monthly summary report of cultural resources-related monitoring prepared by the CRS and attach any new DPR 523A forms completed for finds treated prescriptively, as specified in the CRMMP. Include reports from CRS of incidents of noncompliance with monitoring described in condition CUL-6h. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| CUL | CUL-6b | CONS | In the event that the CRS believes that a current level of monitoring is not appropriate in certain locations, a letter or e-mail detailing the justification for changing the level of monitoring shall be provided to the CPM for review and approval prior to any change in the level of monitoring. | At least 24 hours prior to implementing a proposed change in monitoring level, submit to the CPM, for review and approval, a letter or e-mail detailing the CRS's justification for changing the monitoring level. | (If Needed) | At least 24 hours prior to implementing a proposed change in monitoring level | Ongoing | CEC approved on 10/27/11; re-confirmed on 2/16/12 | As-needed | NA | CH2 | Email notices to CEC of reduced level of on-site monitoring submitted on 9/30/11 (M. Trask) and 10/4/11 (C. Helton). |
| CUL | CUL-6c | CONS | The CRS or alternate CRS shall report daily to the CPM on the status of the project's cultural resources-related activities, unless reducing or ending daily reporting is requested by the CRS and approved by the CPM. | Daily, as long as no cultural resources are found, the CRS shall provide a statement that "no cultural resources over 50 years of age were discovered" to the CPM as an e-mail or in some other form of communication acceptable to the CPM. | Statement of non-discovery | Daily | Ongoing | | In-progress | NA | CH2 | |
| CUL | CUL-6d | CONS | CRS | At least 24 hours prior to reducing or ending daily reporting, submit to the CPM, for review and approval, a letter or e-mail (or some other form of communication acceptable to the CPM) detailing the CRS's justification for reducing or ending daily reporting. | Written Justification | At least 24 hours prior to reducing or ending daily reporting | TBD | | Not Started | NA | CH2 | |
| CUL | CUL-6e | CONS | A Native American monitor shall be obtained to monitor construction-related ground disturbance in areas where Native American artifacts are discovered and written notification of discoveries of archaeological material of interest to Native Americans shall be sent to those Native Americans who requested to be notified of such discoveries as specified in this condition. | No less than two days after the letter is sent, the CPM shall be copied on all of the information transmittal letters sent to the Chairpersons of the Native American tribes or groups who requested the information following the discovery of any Native American cultural materials. Additionally, submit to the CPM copies of letters of transmittal for all subsequent responses to Native American requests for notification, consultation, and reports and records. | (If Needed) | No less than 2 days after sending letters to Chairpersons of Native American tribes | Ongoing | | As-Needed | NA | CCGS | |
| CUL | CUL-6f | CONS | Native American monitor. | Within 15 days of receiving them, submit to the CPM copies of any comments or information provided by Native Americans in response to the project owner's transmittals of information. | (If Needed) | Within 15 days of receiving comments or information provided by Native Americans | Ongoing | | As-Needed | NA | CCGS | |
| CUL | CUL-6g | CONS | The CRS, may informally discuss cultural resources activities with Energy Commission technical staff. Any interference with monitoring activities, removal of a monitor from duties assigned by the CRS, or direction to a monitor to relocate monitoring activities by anyone other than the CRS shall be considered non compliance. Upon becoming aware of any incidents of non-compliance, the CPM shall be notified within 24 hours. The CRS shall also recommend corrective action. | - | (If Needed) | Within 24 hours of non-compliance | Ongoing | | As-needed | NA | CH2 | |
| CUL | CUL-6h | CONS | If an incident of non-compliance occurs, when the issue is resolved, the CRS shall write a report describing the issue, the resolution of the issue, and the effectiveness of the resolution measures. This report shall be provided in the next MCR for the review of the CPM. | - | (If Needed) | The next MCR after a non-compliance issue occurs | Ongoing | | As-needed | NA | CH2 | |

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| CUL | CUL-7a | PC | The CRS, alternate CRS, and CRMs shall have authority to halt construction-related ground disturbance in the event of a cultural resource discovery. Redirection of construction-related ground disturbance shall be accomplished under the direction of the construction supervisor in consultation with the CRS. If the discovery includes human remains, the project owner shall comply with the requirements of Health and Human Safety Code 7050.5(b) and (c). Monitoring and daily reporting as provided in these conditions shall continue during the project's construction-related ground-disturbing activities elsewhere. | At least 30 days prior to the start of construction-related ground disturbance, provide the CPM and CRS with a letter confirming that the CRS, alternate CRS, and CRMs have the authority to halt construction-related ground disturbance in the vicinity of a cultural resources discovery, and that the project owner shall ensure that the CRS notifies the CPM within 24 hours of a discovery, or by Monday morning if the cultural resources discovery occurs between 8:00 AM on Friday and 8:00 AM on Sunday morning. | Letter of confirmation | At least 30 days prior to the start of ground disturbance | | | Completed | NA | CH2 | |
| CUL | CUL-7b | CONS | In the event of a discovery, the halting or redirection of construction-related ground disturbance shall remain in effect until the CRS has visited the discovery, and measures (1) through (4) of this condition have occurred. | Within 48 hours of the discovery of a resource of interest to Native Americans, the project owner shall ensure that the CRS notifies all Native American groups that expressed a desire to be notified in the event of such a discovery. | (If Needed) | Within 48 hours of the discovery of a resource of interest to Native Americans | Ongoing | | As-needed | NA | CH2 | Only required if cultural resource discovered. |
| CUL | CUL-7c | CONS | CRS | Unless the discovery can be treated prescriptively, as specified in the CRMMP, completed DPR 523 forms for resources newly discovered during construction-related ground disturbance shall be submitted to the CPM for review and approval no later than 24 hours following the notification of the CPM, or 48 hours following the completion of data recordation/recovery, whichever the CRS decides is more appropriate for the subject cultural resource. | (If Needed) | Within 24 hours following the notification of the CPM, or 48 hours following the completion of data recordation/recovery, whichever the CRS decides is more appropriate | Ongoing | | As-needed | NA | CH2 | |
| ELEC | ELEC-1 | CONS | Prior to the start of any increment of electrical construction for electrical equipment and systems 480 Volts or higher (see a representative list in this condition), submit, for CBO design review and approval, the proposed final design, specifications, and calculations. Upon approval, the above listed plans, together with design changes and design change notices, shall remain on the site or at another accessible location for the operating life of the project. Request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS. | At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of each increment of electrical construction, submit to the CBO for design review and approval the documents listed in this condition. Include a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS, and send the CPM a copy of the transmittal letter in the next monthly compliance report. | MCR | Monthly | Ongoing | CBO approved on 8/24/11 | In-progress | NA | EPC | Final design, specs, & calcs / RE Statement / Transmittal to CPM, Multi-times: At least 30 days prior to the start of each increment of electrical construction. |
| GEN | GEN-1a | CONS | The LORS listed in this condition shall be enforced during the design, construction, addition, alteration, moving, demolition, repair, or maintenance of the completed facility. Submit plans, calculations and other related documents that have been specifically developed for the OGS. | Within 30 days following receipt of the certificate of occupancy, submit to the 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. | Statement of Design Verification | Within 30 days following receipt of the certificate of occupancy | TBD | | Not Started | NA | EPC | |
| GEN | GEN-1b | CONS | The LORS listed in this condition shall be enforced during the design, construction, addition, alteration, moving, demolition, repair, or maintenance of the completed facility. Submit plans, calculations and other related documents that have been specifically developed for the OGS. | Provide the CPM a copy of the certificate of occupancy within 30 days of receipt from the CBO. | Certificate of Occupancy | Within 30 days of receiving the certificate of occupancy | TBD | | Not Started | NA | EPC | |
| GEN | GEN-1c | OPS | The LORS listed in this condition shall be enforced during the design, construction, addition, alteration, moving, demolition, repair, or maintenance of the completed facility. Submit plans, calculations and other related documents that have been specifically developed for the OGS. | Once the certificate of occupancy has been issued, 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 that requires CBO approval for compliance with the above codes. The CPM will then determine if the CBO needs to approve the work. | Notification to CPM | At least 30 days prior to any work on the completed facility that requires CBO approval | As-needed | | As-needed | NA | CCGS | |
| GEN | GEN-2a | CONS | Before submitting the initial engineering designs for CBO review, provide the CPM and the CBO with a schedule of facility design submittals, and master drawings and master specifications list, as specified in this condition. To facilitate audits by Energy Commission staff, provide specific packages to the CPM upon request. | At least 60 days (or a project owner- and CBO-approved alternative time frame) prior to the start of rough grading, submit to the CBO and to the CPM the schedule, and the master drawings and master specifications list of documents to be submitted to the CBO for review and approval. These documents shall be the pertinent design documents for the major structures, systems, and equipment defined in this condition. Major structures and equipment shall be added to or deleted from the list only with CPM approval. | Schedule, Master Drawings & Specifications Lists | At least 60 days prior to the start of rough grading | Ongoing | | In-progress | NA | EPC | |
| GEN | GEN-2b | CONS | Facility Design | Provide schedule updates in the monthly compliance report. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | |
| GEN | GEN-3 | CONS | Make payments to the CBO for design review, plan checks, and construction inspections. These fees may be consistent with the fees listed in the 2010 CBC, adjusted for inflation and other appropriate adjustments; may be based on the value of the facilities reviewed; may be based on hourly rates; or may be otherwise agreed upon by the project owner and the CBO. | The project owner shall make the required payments to the CBO in accordance with the agreement. 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 applicable fees have been paid. | MCR | Monthly | Ongoing | | In-progress | NA | CCGS | Copy of CBO's Receipt of Payment, multi-times: In accordance with the agreement. |
| GEN | GEN-4a | CONS | Prior to the start of rough grading, assign a California- registered architect, or a structural or civil engineer, as the resident engineer (RE) in charge of the project. RE or his/her delegate(s) shall be responsible for the elements listed in this condition. | At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of rough grading, submit to the CBO for review and approval, the resume and registration number of the RE and any other delegated engineers assigned to the project. | RE Resume & Registration Number | At least 30 days prior to the start of rough grading | As-needed | CBO approved OPC RE on 3/28/11. CEC approved CCGS RE on 2/13/12 | Completed | NA | CCGS | Proposed new CCGS RE resumes submitted to CEC and CBO on 2/6/12. Engineer designations for TSE-2 remain to be identified. |

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| GEN | GEN-4b | CONS | Site Grading | Notify the CPM of the CBO's approvals of the RE and other delegated engineer(s) within 5 days of the approval. | Notification to CPM | Within 5 days of receiving the approval | As-needed | | Completed | NA | CCGS | |
| GEN | GEN-4c | CONS | If the RE or the delegated engineers are reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer. | If the RE or the delegated engineer(s) is subsequently reassigned or replaced, the project owner has five days to submit the resume and registration number of the newly assigned engineer to the CBO for review and approval. | (If Needed) | Within 5 days of replacing the RE or delegated engineer(s) | As-needed | | As-needed | NA | CCGS | |
| GEN | GEN-5a | CONS | Prior to rough grading and prior to construction, assign at least one of each of the California registered engineers listed in this condition to the project. The duties of the engineers are outlined in this condition. | At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of rough grading or the start of construction, submit to the CBO for review and approval, resumes and registration numbers of the responsible civil engineer, soils (geotechnical) engineer, engineering geologist, responsible design engineer, mechanical engineer, and electrical engineer assigned to the project. | Engineer Resumes and registration number | At least 30 days prior to the start of rough grading | As-needed | CBO approved on 4/14/11 | Completed | NA | CCGS | Ivan Engeman - EE, Shannon Adams - ME, Graylyn Garr - CEC, Wei Tu - CE, and Norman Hoist - Engineering Geologist. CBO approval was issued on 4/14/11, and submitted to the CPM on 4/22/11. Engineer designations for TSE-2 remain to be identified. |
| | GEN-5b | CONS | Site Grading | Notify the CPM of the CBO's approvals of the responsible engineers within five days of the approval. | Notification to CPM | Within 5 days of the approval | As-needed | | Completed | NA | CCGS | |
| GEN | GEN-5c | CONS | Site Grading | If the designated responsible engineer is subsequently reassigned or replaced, the project owner has five days in which to submit the resume and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval. | (If Needed) | Within 5 days of replacing the designated engineer | As-needed | | As-needed | NA | CCGS | |
| GEN | GEN-6a | CONS | Prior to the start of an activity requiring special inspection, assign to the project, qualified and certified special inspector(s) The special inspector(s) shall preform the duties outlined in this condition. | At least 15 days (or project owner- and CBO-approved alternative time frame) prior to the start of an activity requiring special inspection, 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 in this condition. | Name/Quals of Special Inspector | At least 15 days prior to the start of an activity requiring special inspection | As-needed | CBO approved on 8/24/11 | As-needed | NA | CCGS | Resumes submitted on 9/28/11. |
| GEN | GEN-6b | CONS | Special Inspection | Submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors in the next monthly compliance report. | MCR | Monthly | Ongoing | | In-progress | NA | CCGS | 1-time: MCR following approval of special inspectors. |
| GEN | GEN-6c | CONS | Special Inspection | If the special inspector is subsequently reassigned or replaced, the project owner has five days in which to submit the name and qualifications of the newly assigned special inspector to the CBO for approval. Notify the CPM of the CBO's approval of the newly assigned inspector within five days of the approval. | (If Needed) | Within 5 days of replacing the special inspector | As-needed | | As-needed | NA | CCGS | |
| GEN | GEN-7 | CONS | If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, document the discrepancy and recommend required corrective actions. The discrepancy documentation shall be submitted to the CBO for review and approval. The discrepancy documentation shall reference this condition and, if appropriate, applicable sections of the CBC and/or other LORS. | 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. If any corrective action is disapproved, the project owner shall advise the CPM, within five days, of the reason for disapproval and the revised corrective action to obtain CBO's approval. | (If Needed) | Monthly | As-needed | | As-needed | NA | EPC | MCR following corrective action. |
| GEN | GEN-8a | CONS | Obtain the CBO's final approval of all completed work that has undergone CBO design review and approval. Request the CBO to inspect the completed structure and review the submitted documents. Notify the CPM after obtaining the CBO's final approval. Retain one set of approved engineering plans, specifications, and calculations (including all approved changes) at the project site or at another accessible location during the operating life of the project. Electronic copies of the approved plans, specifications, calculations, and marked-up as-builts shall be provided to the CBO for retention by the CPM. | Within 15 days of the completion of any work, 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. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | Within 15 days of the completion of any work. |
| GEN | GEN-8b | CONS | CBO | After storing the final approved engineering plans, specifications, and calculations described above, submit to the CPM a letter stating both that the above documents have been stored and the storage location of those documents. | Notification to CPM | After storing the final approved engineering plans, specifications, and calculations | Ongoing | | Not Started | NA | CCGS | |
| GEN | GEN-8c | CONS | CBO | Within 90 days of the completion of construction, provide to the CBO three sets of electronic copies of the above documents at the project owner's expense. These are to be provided in the form of "read only" (Adobe) files, with restricted (password-protected) printing privileges, on archive quality compact discs. | Copies of approved plans/specs/calcs/as-builts | Within 90 days of the completion of construction | TBD | | Not Started | NA | CCGS | |
| HAZ | HAZ-1 | OPS | Any hazardous materials not listed in Appendix B shall not be used, or in greater quantities or strengths than those identified by chemical name in Appendix B, unless approved in advance by the CPM. | Provide to the CPM, in the Annual Compliance Report, a list of hazardous materials contained at the facility. | ACR | Annually | Ongoing | | Not Started | NA | CCGS | |

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| HAZ | HAZ-2a | CONS | The project owner shall concurrently provide a Hazardous Materials Business Plan (HMBP), an updated Spill Prevention, Control, and Countermeasure Plan (SPCC), and an updated Risk Management Plan (RMP) prepared pursuant to the California Accidental Release Program (CalARP) to the Contra Costa County Health Services Department – Hazardous Materials Program (CCCHSD-HMP) and the CPM for review. The project owner shall consider all recommendations that are made by the CCCHSD and CPM within thirty (30) days of submittal. Copies of any comments received (or if none were received, a letter so stating), the final updated HMBP, updated SPCC Plan, and updated RMP shall then be provided to the CCCHSD-HMP and the East Contra Costa Fire Protection District (ECCFPD) for information and to the CPM for approval. | At least thirty (30) days prior to receiving any hazardous material on the site for commissioning or operations, the project owner shall provide a copy of any comments received (or if none were received, a letter so stating), a final updated Business Plan and updated SPCC Plan to the CCCHSD-HMP for information and to the CPM for approval. At least thirty (30) days prior to delivery of aqueous ammonia to the site, the project owner shall provide any comments received (or if none were received, a letter so stating), and the final updated RMP to the CCCHSD-HMP and the ECCFPD for information and to the CPM for approval. | HMBP and SPCC | At least 30 days prior to receiving any hazardous material / aqueous ammonia on the site | TBD | | Not Started | NA | CH2 | Commissioning/Operations. |
| HAZ | HAZ-2b | CONS | Copies of the final Hazardous Material Business Plan, SPCC Plan, and RMP shall be provided to the CCCHSD-HMP and the East Contra Costa Fire Protection District (ECCFPD) for information and to the CPM for approval. | At least 30 days prior to delivery of aqueous ammonia to the site, provide any comments received (or if none were received, a letter so stating), and the final RMP to the CCCHSD-HMP and ECCFPD for information and to the CPM for approval. | RMP | At least 30 days prior to receiving any hazardous material / aqueous ammonia on the site | TBD | | Not Started | NA | CH2 | |
| HAZ | HAZ-3 | CONS | Develop and implement a Safety Management Plan, as outlined in this condition for delivery of aqueous ammonia and other liquid hazardous materials by tanker truck. | At least 30 days prior to the delivery of any liquid hazardous material to the facility, provide a Safety Management Plan as described in this condition to the CPM for review and approval. | Safety Management Plan | At least 30 days prior to the delivery of any liquid hazardous material to the facility | TBD | | Not Started | NA | CH2 | Commissioning/Operations. |
| HAZ | HAZ-4 | CONS | The aqueous ammonia storage facility shall be designed to either the ASME Pressure Vessel Code and ANSI K61.6 or to API 620, as described in this condition. | At least 60 days prior to delivery of aqueous ammonia to the facility, submit final design drawings and specifications for the ammonia storage tank and secondary containment basin to the CPM for review and approval. | Final design drawings/specs of ammonia storage tank & secondary containment | At least 60 days prior to delivery of aqueous ammonia to the facility | TBD | | Not Started | NA | EPC | |
| HAZ | HAZ-5 | CONS | All vendors delivering aqueous ammonia to the site shall use only tanker truck transport vehicles which meet or exceed the specifications of DOT Code MC-307. | At least 30 days prior to receipt of aqueous ammonia on site, submit copies of the notification letter to supply vendors indicating the transport vehicle specifications to the CPM for review and approval. | Notification letters re: transport vehicle specs | At least 30 days prior to receipt of aqueous ammonia on site | TBD | | Not Started | NA | EPC | |
| HAZ | HAZ-6 | CONS | The project owner shall direct all vendors delivering any hazardous material to the site to use only the routes approved by the CPM (SR-4 to SR-160 to Wilbur Avenue to Bridgehead Road to the project site, or SR 4/Main Street and turn onto Bridgehead Road to the project site). The project owner shall obtain approval of the CPM if an alternate route is desired. | At least sixty (60) days prior to receipt of any hazardous materials on site, the project owner shall submit copies of the required transportation route limitation direction to the CPM for review and approval | Transportation Route Limitation Direction | At least sixty (60) days prior to receipt of any hazardous materials on site | TBD | | Not Started | NA | EPC | |
| HAZ | HAZ-7 | PC | Prior to commencing construction, a site-specific Construction Site Security Plan for the construction phase shall be prepared and made available to the CPM for review and approval. The Construction Security Plan shall include items (1) through (3) of this condition. | At least 30 days prior to commencing construction, notify the CPM that a site-specific Construction Security Plan is available for review and approval. | Construction Security Plan | At least 30 calendar days prior to start of construction | | | Completed | NA | EPC | |
| HAZ | HAZ-8a | CONS | Revise an existing or prepare a new site-specific security plan, as described in this condition, for the commissioning and operational phases that will be available to the CPM for review and approval. The level of security to be implemented shall not be less than that described in (1) through (6) of this condition (as per NERC 2002). Fully implement the security plans and obtain CPM approval of any substantive modifications to those security plans. | At least 30 days prior to the initial receipt of hazardous materials on site, notify the CPM that a site-specific operations site security plan is available for review and approval. | Site Specific Operations Security Plan | At least 30 days prior to the initial receipt of hazardous materials on site | TBD | | Not Started | NA | EPC/CCGS | Operations Phase. |
| HAZ | HAZ-8b | OPS | Site Security | In the annual compliance report, include a statement that all current project employee and appropriate contractor background investigations have been performed, and that updated certification statements have been appended to the operations security plan. In the annual compliance report, include a statement that the operations security plan includes all current hazardous materials transport vendor certifications for security plans and employee background investigations. | ACR | Annually | Ongoing | | Not Started | NA | CCGS | |
| HAZ | HAZ-9a | CONS | The project owner shall not allow any fuel gas pipe cleaning activities on site, either before placing the pipe into service or at any time during the lifetime of the facility, that involve "flammable gas blows" where natural (or flammable) gas is used to blow out debris from piping and then vented to atmosphere. Instead, an inherently safer method involving a non-flammable gas (e.g. air, nitrogen, steam) or mechanical pigging shall be used. Exceptions to any of these provisions will be made only if no other satisfactory method is available, and then only with the approval of the CPM. | At least 30 days before any fuel gas pipe cleaning activities involving fuel gas pipe of four-inch or greater external diameter, submit a copy of the Fuel Gas Pipe Cleaning Work Plan which shall indicate the method of cleaning to be used, what gas will be used, the source of pressurization, and whether a mechanical PIG will be used, to the CBO for information and to the CPM for review and approval. | Fuel Gas Pipe Cleaning Work Plan | At least 30 days before fuel gas pipe cleaning activities | TBD | | Not Started | NA | CCGS | |

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| HAZ | HAZ-9b | OPS | The project owner shall not allow any fuel gas pipe cleaning activities on site, either before placing the pipe into service or at any time during the lifetime of the facility, that involve "flammable gas blows" where natural (or flammable) gas is used to blow out debris from piping and then vented to atmosphere. Instead, an inherently safer method involving a non-flammable gas (e.g. air, nitrogen, steam) or mechanical pigging shall be used. Exceptions to any of these provisions will be made only if no other satisfactory method is available, and then only with the approval of the CPM. | At least 30 days before any fuel gas pipe cleaning activities involving fuel gas pipe of four-inch or greater external diameter, submit a copy of the Fuel Gas Pipe Cleaning Work Plan which shall indicate the method of cleaning to be used, what gas will be used, the source of pressurization, and whether a mechanical PIG will be used, to the CBO for information and to the CPM for review and approval. | Fuel Gas Pipe Cleaning Work Plan | At least 30 days before fuel gas pipe cleaning activities | Ongoing | | Not Started | NA | CCGS | |
| HAZ | HAZ-10a | CONS | The project owner shall notify the CPM in writing of any new safety and/or reliability legislation, rules, regulations, or standards adopted for natural gas distribution pipelines by the CPUC, NTSB, USDOT, or any other agency with jurisdiction during OGS pipeline construction or operation that are applicable to the OGS project natural gas pipeline. The project owner shall notify the CPM of the regulations and thereafter, consult with PG&E and the CPM regarding the project's feasible compliance with and implementation of the applicable measures. | Within 15 days of the adoption of any new safety and/or reliability legislation, rules, regulations, or standards for natural gas distribution pipelines, that are applicable to the OGS natural gas pipeline, the project owner shall provide the CPM with a written copy of the rule. | Written Notification | If needed, within 15 days of adoption | Ongoing | | As-needed | NA | CCGS | |
| HAZ | HAZ-10b | OPS | The project owner shall notify the CPM in writing of any new safety and/or reliability legislation, rules, regulations, or standards adopted for natural gas distribution pipelines by the CPUC, NTSB, USDOT, or any other agency with jurisdiction during OGS pipeline construction or operation that are applicable to the OGS project natural gas pipeline. The project owner shall notify the CPM of the regulations and thereafter, consult with PG&E and the CPM regarding the project's feasible compliance with and implementation of the applicable measures. | Within 15 days of the adoption of any new safety and/or reliability legislation, rules, regulations, or standards for natural gas distribution pipelines, that are applicable to the OGS natural gas pipeline, the project owner shall provide the CPM with a written copy of the rule. | Written Notification | If needed, within 15 days of adoption | Ongoing | | As-needed | NA | CCGS | |
| MECH | MECH-1a | CONS | Submit, for CBO design review and approval, the proposed final design, specifications and calculations for each plant major piping and plumbing system listed. Upon completion of construction of any such system, request the CBO's inspection.<br>The responsible mechanical engineer shall stamp and sign all plans, drawings, and calculations for the major piping and plumbing systems, subject to CBO design review and approval, and submit a signed statement to the CBO when the proposed piping and plumbing systems have been designed, fabricated, and installed in accordance with all of the applicable LORS. | At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of any increment of major piping or plumbing construction listed in the CBO-approved master drawing and master specifications list, submit to the CBO for design review and approval the final plans, specifications, and calculations, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with applicable LORS, and send the CPM a copy of the transmittal letter in the next monthly compliance report. | Final design plans, Specs & Calcs Engineer certification w/ transmittal to CPM | Multi-times: At least 30 days prior to the start of any increment of major piping or plumbing construction listed in the CBO-approved master drawing and specifications list | Ongoing | | Not Started | NA | EPC | |
| MECH | MECH-1b | CONS | Final Design | 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. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | In the following MCR. |
| MECH | MECH-2a | CONS | For all pressure vessels installed in the plant, submit to CBO and Cal-OSHA, prior to operation, the code certification papers and other documents required by applicable LORS. Upon completion of the installation of any pressure vessel, request the appropriate CBO and/or Cal-OSHA inspection of that installation. | At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of on-site fabrication or installation of any pressure vessel, submit to the CBO for design review and approval, the documents listed in this condition, including a copy of the signed and stamped engineer's certification, with a copy of the transmittal letter to the CPM. | See condition text for document list | At least 30 days prior to the start of on-site fabrication or installation of any pressure vessel | Ongoing | | Not Started | NA | EPC | |
| MECH | MECH-2b | CONS | Pressure Vessels | Transmit to the CPM, in the monthly compliance report following completion of any inspection, a copy of the transmittal letter conveying the CBO and/or Cal-OSHA inspection approvals. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | Copy of transmittal in the following MCR. |
| MECH | MECH-3 | CONS | Submit to the CBO for design review and approval, specifications, calculations, and quality control procedures for any heating, ventilating, air conditioning (HVAC) or refrigeration system. Packaged HVAC systems, where used, shall be identified with the appropriate manufacturer's data sheets. Design and install all HVAC and refrigeration systems in accordance with applicable codes. Upon completion of any increment of construction, request the CBO's inspection. The final plans, specifications and calculations shall include approved criteria, assumptions, and methods. In addition, the responsible mechanical engineer shall sign and stamp all plans, drawings and calculations and submit a signed statement to the CBO that the proposed final design plans, specifications and calculations conform with the applicable LORS. | At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of construction of any HVAC or refrigeration system, 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. | HVAC & refrigeration calcs, plans, and specs / ME statement / Transmittal to CPM | At least 30 days prior to the start of construction of any HVAC or refrigeration system | Ongoing | | Not Started | NA | EPC | |
| NOISE | NOISE-1a | CONS | PUBLIC NOTIFICATION PROCESS | Notify all residents within one mile of the project site boundaries and within ½-mile of the linear facilities, of the commencement of project construction. Establish a telephone number, as outlined in this condition for use by the public to report any undesirable noise conditions, and include the telephone number in above notice. | Public Notification | At least 15 days prior to the start of ground disturbance | TBD | | As-needed | NA | CCGS | Notice was provided for OGS project site and water line. Still need to provide additional notice prior to the start of T-line construction. New site telephone no. 925.389.3048 established on 10/11/12. |

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| NOISE | NOISE-1b | CONS | PUBLIC NOTIFICATION PROCESS | At least 15 days prior to the start of demolition, transmit to the CPM a statement, signed by the project owner's project manager, stating that the notification has been performed, and describing the method of that notification. This communication shall also verify that the telephone number has been established and posted at the site, and shall provide that telephone number. | Confirmation of public notification & establishment of telephone number | At least 15 days prior to the start of ground disturbance | TBD | | Not Started | NA | CCGS | Notice was provided for OGS project site and water line. Still need to provide additional notice prior to the start of T-line construction. New site telephone no. 925.389.3048 established on 10/11/12. |
| NOISE | NOISE-1c | OPS | PUBLIC NOTIFICATION PROCESS | Verification that the telephone number was maintained for at least one year after the project was operational. | Verification Letter | One year after project has been operational | Ongoing | | Not Started | NA | CCGS | |
| NOISE | NOISE-2a | CONS | NOISE COMPLAINT PROCESS: Throughout the construction of the project, document, investigate, evaluate, and attempt to resolve all project-related noise complaints, as outlined in this condition. | Within five days of receiving a noise complaint, file a Noise Complaint Resolution Form, with both the local jurisdiction and the CPM, that documents the resolution of the complaint. | Noise Complaint Resolution Form | Within five days of receiving a noise complaint | Ongoing | | As-needed | NA | CCGS | |
| NOISE | NOISE-2b | CONS | NOISE COMPLAINT PROCESS: Throughout the construction of the project, document, investigate, evaluate, and attempt to resolve all project-related noise complaints, as outlined in this condition. | If mitigation is required to resolve a noise complaint, and the complaint is not resolved within a three-day period, submit an updated Noise Complaint Resolution Form when the mitigation is performed and complete. | Updated Noise Complaint Resolution Form | As-needed | Ongoing | | As-needed | NA | CCGS | |
| NOISE | NOISE-2c | OPS | NOISE COMPLAINT PROCESS: Throughout the operation of the project, document, investigate, evaluate, and attempt to resolve all project-related noise complaints, as outlined in this condition. | Within five days of receiving a noise complaint, file a Noise Complaint Resolution Form, with both the local jurisdiction and the CPM, that documents the resolution of the complaint. | Noise Complaint Resolution Form | Within five days of receiving a noise complaint | Ongoing | | As-needed | NA | CCGS | |
| NOISE | NOISE-2d | OPS | NOISE COMPLAINT PROCESS: Throughout the operation of the project, document, investigate, evaluate, and attempt to resolve all project-related noise complaints, as outlined in this condition. | If mitigation is required to resolve a noise complaint, and the complaint is not resolved within a three-day period, submit an updated Noise Complaint Resolution Form when the mitigation is performed and complete. | Updated Noise Complaint Resolution Form | As-needed | As-needed | | As-needed | NA | CCGS | |
| NOISE | NOISE-3a | PC | Submit to the CPM for review and approval a noise control program and to reduce employee exposure to high (above permissible) noise levels during construction in accordance to the applicable OSHA and Cal-OSHA standards. | At least 30 days prior to the start of ground disturbance, submit the noise control program to the CPM. Make the program available to Cal-OSHA upon request. | Noise Control Program | At least 30 days prior to the start of ground disturbance | | | Completed | NA | EPC | |
| NOISE | NOISE-3b | PC | Submit to the CPM a statement verifying that the noise control program will be implemented throughout construction of the project. | At least 30 days prior to the start of ground disturbance, submit the statement signed by project manager to the CPM. | Signed Project Owner's Statement | At least 30 days prior to the start of ground disturbance | | | Completed | NA | CCGS | |
| NOISE | NOISE-4a | CONS | NOISE RESTRICTIONS: The project design and implementation shall include appropriate noise mitigation measures as described in this condition. | The 25-hour community noise survey shall take place within 30 days of the project first achieving a sustained output of 90% or greater of rated capacity. | -- | Within 30 days of the project first achieving a sustained output of 90% or greater of rated capacity | TBD | | Not Started | NA | CH2 | |
| NOISE | NOISE-4b | CONS | NOISE RESTRICTIONS | Within 15 days after completing the survey, submit a summary report of the survey to the CPM. Included in the survey report will be the measures described in this condition. Included in the survey report will be a description of any additional mitigation measures necessary to achieve compliance with the above listed noise limit, and a schedule, subject to CPM approval, for implementing these measures. | Survey Summary Report | Within 15 days after completing the noise survey | TBD | | Not Started | NA | CH2 | |
| NOISE | NOISE-4c | CONS | NOISE RESTRICTIONS | If additional noise mitigation measure are required, the noise survey shall be repeated after implementation of additional mitigation measures. | -- | As-needed | Ongoing | | As-needed | NA | CH2 | |
| NOISE | NOISE-5 | CONS | Following the project's attainment of a sustained output of 85% or greater of its rated capacity, conduct an occupational noise survey to identify any noise hazardous areas in the facility.<br>A report shall be prepared of the survey results and, if necessary, proposed mitigation measures to be employed in order to comply with the applicable California and federal regulations. | Within 30 days after completing the occupational noise survey, submit the noise survey report to the CPM. Make the report available to OSHA and Cal-OSHA upon request. | Occupational Noise Survey Report | Within 30 days after completing the occupational noise survey | TBD | | Not Started | NA | CH2 | |
| NOISE | NOISE-6a | CONS | STEAM BLOW RESTRICTIONS: If a traditional, high-pressure steam blow process is employed, the project owner shall equip steam blow piping with a temporary silencer that quiets the noise of steam blows to no greater than 68 dBA Leq measured at monitoring location M2 and no greater than 64 dBA Leq measured at monitoring location M1. The project owner shall conduct high pressure steam blows only between the hours of 9:00 a.m. to 7:00 p.m. | At least 15 days prior to the first high-pressure 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. | High pressure steam blow plan | At least 15 days prior to the first high-pressure steam blow | TBD | | Not Started | NA | EPC | |
| NOISE | NOISE-6b | CONS | STEAM BLOW RESTRICTIONS: If a low-pressure continuous steam blow process is employed, the project owner shall submit a description of this process, with expected noise levels and projected hours of execution, to the CPM. | At least 15 days prior to any low-pressure continuous steam blow, the project owner shall submit to the CPM drawings or other information describing the process, including the noise levels expected and the projected time schedule for execution of the process. | Low pressure steam blow plan | At least 15 days prior to any low-pressure continuous steam blow | TBD | | Not Started | NA | EPC | |
| NOISE | NOISE-7a | CONS | STEAM BLOW RESTRICTIONS: The project owner shall notify all residents or business owners within one mile of the site of the planned steam blow activity, and shall make the notification available to other area residents in an appropriate manner. | --- | Public Notification | At least 15 days prior to the first steam blow(s) | TBD | | Not Started | NA | CCGS | |
| NOISE | NOISE-7b | CONS | STEAM BLOW RESTRICTIONS: The project owner shall send a letter to the CPM confirming that they have been notified of the planned steam blow activities, including a description of the method(s) of that notification | --- | Confirmation letter | Within five (5) days of notifying all residents or business owners | TBD | | Not Started | NA | CCGS | |

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| NOISE | NOISE-8 | PC | CONSTRUCTION TIME RESTRICTIONS: Heavy equipment operation and noisy construction work, including pile driving, shall be restricted to the times delineated in this condition. 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. Variance from the above-noted restrictions may be allowed upon issuance of a variance or waiver by the CPM, in consultation with the City of Oakley. | Prior to ground disturbance, a statement acknowledging that the restrictions in this condition will be observed throughout the construction of the project shall be transmit to the CPM, unless a variance or waiver from the above-noted restrictions has been approved by the CPM. | Statement of acknowledgement | Prior to ground disturbance | | | Completed | NA | EPC | |
| PAL | PAL-1a | PC | Provide the CPM with the resume and qualifications of the PRS for review and approval. The PRS and Paleontological Resource Specialist (PRS) shall meet the minimum qualifications described in this condition. | At least 60 days prior to the start of ground disturbance, submit a resume and statement of availability of its designated PRS for on-site work. | PRS Resume & Statement of Availability | At least 60 days prior to the start of ground disturbance | | CEC approved via PRMMP 6/11 | Completed | NA | CH2 | Resume for Dr. Geof Spaulding (CH2M Hill), PRS, submitted on 3/21/11. |
| PAL | PAL-1b | PC | Ensure that the PRS obtains qualified Paleontological Resource Monitors (PRMs) to monitor as he or she deems necessary on the project. PRMs shall have the equivalent of the qualifications described in this condition. | At least 20 days prior to ground disturbance, provide a letter with resumes naming anticipated monitors, stating that the identified monitors meet the minimum qualifications for paleontological resource monitoring required by the condition. | PRM Resumes & Quals | At least 20 days prior to ground disturbance | | CEC approved via PRMMP 6/11 | Completed/As-needed | NA | CH2 | Resumes submitted on 4/22/11. |
| PAL | PAL-1c | CONS | If a PRM is replaced, the resume of the replacement PRM shall also be provided to the CPM. Keep resumes on file for qualified PRM. | If additional monitors are obtained during the project, provide additional letters and resumes to the CPM. The letter shall be provided to the CPM no later than one week prior to the monitor's beginning on-site duties. | (If Needed) | At least 1 week prior to the monitor beginning duties | Ongoing | | As-needed | NA | CH2 | |
| PAL | PAL-2a | PC | Provide to the PRS and the CPM, for approval, maps and drawings showing the footprint of the project, as described in this condition. If construction of the project proceeds in phases, maps and drawings may be submitted prior to the start of each phase. A letter identifying the proposed schedule of each project phase shall be provided to the PRS and CPM. The PRS or PRM shall consult weekly with the project superintendent or construction field manager to confirm area(s) to be worked the following week. | At least 30 days prior to the start of ground disturbance, provide the maps and drawings to the PRS and CPM. | Maps and drawings | At least 30 days prior to the start of ground disturbance | | | Completed | NA | EPC | |
| PAL | PAL-2b | CONS | If the footprint of the project or its linear facilities change, the project owner shall provide maps and drawings reflecting those changes to the PRS and CPM. | If there are changes to the footprint of the project, revised maps and drawings shall be provided to the PRS and CPM at least 15 days prior to the start of ground disturbance. | (If Needed) | At least 15 days prior to the start of ground disturbance | As-needed | | As-needed | NA | EPC | |
| PAL | PAL-2c | CONS | Before work commences on affected phases, the project owner shall notify the PRS and CPM of any construction phase scheduling changes. | If there are changes to the scheduling of the construction phases, submit a letter to the CPM within 5 days of identifying the changes. | (If Needed) | Within 5 days of identifying the changes | As-needed | | As-needed | NA | EPC | |
| PAL | PAL-3 | PC | A paleontological resources monitoring and mitigation plan (PRMMP) shall be include elements (1) through (10) as specified in this condition and submitted to the CPM for review and approval to identify general and specific measures to minimize potential impacts to significant paleontological resources. Copies of the PRMMP shall reside with the PRS, each monitor, the project owner's on-site manager, and the CPM. | At least 30 days prior to ground disturbance, provide a copy of the PRMMP to the CPM. The PRMMP shall include an affidavit of authorship by the PRS, and acceptance of the PRMMP by the project owner evidenced by a signature. | PRMMP | At least 30 days prior to ground disturbance | | | Completed | NA | CH2 | |
| PAL | PAL-4a | PC | Worker Environmental Awareness Program: Prior to ground disturbance and for the duration of construction activities involving ground disturbance, as described in this condition, prepare and conduct weekly CPM-approved paleontological resources training for the workers specified in this condition. The training shall include elements (1) through (7) of this condition. | At least 30 days prior to ground disturbance, submit the proposed WEAP, including the brochure, with the set of reporting procedures for workers to follow.<br>At least 30 days prior to ground disturbance, the project owner shall submit the script/final video to the CPM for approval if the project owner is planning to use a video for interim training. | WEAP, script, and final video | At least 30 days prior to ground disturbance | | | Completed | NA | CH2 | |
| PAL | PAL-4b | CONS | WEAP TRAINING | If the owner requests an alternate paleontological trainer, the resume and qualifications of the trainer shall be submitted to the CPM for review and approval prior to installation of an alternate trainer. Alternate trainers shall not conduct training prior to CPM authorization. | (If Needed) | Prior to installation of an alternate trainer | Ongoing | | As-needed | NA | CH2 | |
| PAL | PAL-4c | CONS | WEAP TRAINING | In the MCR, provide copies of the WEAP certification of completion forms with the names of those trained and the trainer or type of training (in-person or video) offered that month. The MCR shall also include a running total of all persons who have completed the training to date. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | |
| PAL | PAL-5a | CONS | The PRS and PRM(s) shall monitor consistent with the PRMMP all construction-related grading, excavation, trenching, and augering in areas where potential fossil-bearing materials have been identified. The PRS and PRM(s) have the authority to halt or redirect construction if paleontological resources are encountered. Monitoring activities shall be conducted as in accordance with (1) through (4) of this condition. A summary of monitoring and other paleontological activities shall be included placed in the MCRs, as described by this condition. | The PRS shall submit the summary of monitoring and paleontological activities in the MCR. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |

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| PAL | PAL-5b | CONS | Any change of monitoring from the accepted schedule in the PRMMP shall be proposed in a letter or email from the PRS and the project owner to the CPM prior to the change in monitoring and will be included in the monthly compliance report. The letter or email shall include the justification for the change in monitoring and be submitted to the CPM for review and approval. In the event that the PRS determines full-time monitoring is not necessary in locations that were identified as potentially fossil-bearing in the PRMMP, the project owner shall notify and seek the concurrence of the CPM. | When feasible, the CPM shall be notified 10 days in advance of any proposed changes in monitoring different from the plan identified in the PRMMP. If there is any unforeseen change in monitoring, the notice shall be given as soon as possible prior to implementation of the change | (If Needed) | At least 10 days in advance of any proposed changes in monitoring, when feasible | Ongoing | | As-needed | NA | CH2 | |
| PAL | PAL-6a | OPS | All components of the PRMMP shall be adequately performed including collection of fossil materials, preparation of fossil materials for analysis, analysis of fossils, identification and inventory of fossils, the preparation of fossils for curation, and the delivery for curation of all significant paleontological resource materials encountered and collected during project construction. | Maintain in the compliance file copies of signed contracts or agreements with the designated PRS and other qualified research specialists for a period of three years after project completion and approval of the CPM-approved paleontological resource report (see PAL-7). | -- | For 3 years after project completion | Ongoing | | Not Started | NA | CCGS | |
| PAL | PAL-6b | CONS | PRMMP | Pay any curation fees charged by the museum for fossils collected and curated as a result of paleontological mitigation. A copy of the letter of transmittal submitting the fossils to the curating institution shall be provided to the CPM. | (If Needed) | Following transmittal of fossils | Ongoing | | As-needed | NA | CCGS | |
| PAL | PAL-7 | CONS | The Paleontological Resources Report (PRR) shall be prepared by the designated PRS following completion of the ground-disturbing activities. The PRR shall include the elements described in this condition. | Within 90 days after completion of ground-disturbing activities, including landscaping, submit the PRR under confidential cover to the CPM. | Paleontological Resources Report | Within 90 days after completion of ground-disturbing activities | TBD | | Not Started | NA | CH2 | |
| PUBLIC HEALTH | PUBLIC HEALTH-1 | CONS | Develop and implement a Cooling Water Management Plan that is consistent with either staff's *Cooling Water Management Program Guidelines* or the Cooling Technology Institute's *Best Practices for Control of Legionella* guidelines. | At least 30 days prior to the start of cooling tower construction, the Cooling Water Management Plan shall be provided to the Compliance Project Manager for review and approval. | Cooling Water Management Plan | At least 30 days prior to the start of cooling tower construction | TBD | | Not Started | NA | CCGS | |
| SOCIO | SOCIO-1 | PC | The project owner shall pay to the city of Oakley the Park Land Dedication Fee, Park Improvement Fee, Public Facilities Fee and the Fire Facilities Fee. | At least 15 days prior to the start of project construction, the project owner shall provide the Compliance Project Manager (CPM) proof of payment to the city of Oakley for the Park Land Dedication Fee, Park Improvement Fee, Public Facilities Fee and the Fire Facilities Fee. | Payment / Proof of payment | At least 30 days prior to start of construction | | | Completed | NA | CCGS | |
| SOCIO | SOCIO-2 | PC | Pay the one-time statutory school facility development fee to Antioch Unified School District as required by Education Code Section 17620. | At least 30 days prior to the start of project construction, provide to the CPM proof of payment of the statutory development fee. | Payment / Proof of payment | At least 30 days prior to start of construction | | | Completed | NA | CCGS | |
| S&W | SOIL & WATER-1a | PC | Obtain CPM approval for a site-specific Drainage, Erosion, and Sedimentation Control Plan / Stormwater Control Plan (DESCP/SWCP) that ensures protection of water quality and soil resources of the project site for both the construction and operational phases of the project. The DESCP shall contain elements (1) through (11) of this condition. | No later than 90 days prior to start of site mobilization, submit a copy of the DESCP to City of Oakley, Contra Costa Clean Water Program, and the Central Valley RWQCB (CV RWQCB) for review and comment. | DESCP | At least 90 days prior to the start of site mobilization | | SWRCB certified 6/8/11; amended 12/5/11 | Completed | NA | CH2 | Submitted to CEC on 3/25/11. Updated on 6/15/11. Amendment No. 1 for additional laydown yard/parking area submitted to SWRCB on 10/5/11. |
| S&W | SOIL & WATER-1b | PC | DESCP | A copy of the DESCP shall be submitted to the CPM no later than 60 days prior to the start of site mobilization for review and approval. The CPM shall consider comments received from City, CCCWP and/or CV RWQCB. | DESCP | At least 60 days prior to the start of site mobilization | | SWRCB certified 6/6/11; amended 12/5/11 | Completed | NA | CH2 | Submitted to CEC on 3/25/11. Updated on 6/15/11. Amendment No. 1 for additional laydown yard/parking area submitted to SWRCB on 10/5/11. |
| S&W | SOIL & WATER-1c | CONS | DESCP | During construction, provide an analysis in the monthly compliance report on the effectiveness of the drainage-, erosion- and sediment-control measures and the results of monitoring and maintenance activities. | MCR | Monthly | Ongoing | | In-progress | NA | CCGS | |
| S&W | SOIL & WATER-1d | OPS | DESCP | Once operational, provide in the annual compliance report information on the results of stormwater BMP monitoring and maintenance activities. | ACR | Annually | Ongoing | | Not Started | NA | CCGS | |
| S&W | SOIL & WATER-1e | CONS | DESCP | No later than 14 days prior to the transfer of ownership of the soil stockpiles to DuPont, submit a letter to the CPM from DuPont indicating that DuPont will assume responsibility to maintain the stockpiles in accordance with the approved Soil Stockpile BMP Plan. | Letter to CPM | No later than 14 days prior to transfer of ownership of soil stockpiles | 10/26/2012 | CEC approved 10/29/12 | Completed | NA | CCGS | DuPont letter dated 10/26/12; transfer and ownership on 11/10/12. |
| S&W | SOIL & WATER-2a | CONS | Comply with the requirements of the General National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with construction activity. In order to comply, develop and implement a Construction Storm Water Pollution Prevention Plan (Construction SWPPP) for the construction of the OGS site, laydown areas, and all linear facilities. | Prior to site mobilization, submit a copy of the construction SWPPP to the CPM for review. | Construction SWPPP | Prior to site mobilization | Ongoing | SWRCB certified 6/8/11; amended 12/5/11 | Completed | NA | CH2 | Submitted to CEC on 3/25/11. Updated on 6/15/11. Amendment No. 1 for additional laydown yard/parking area submitted to SWRCB on 10/5/11. |
| S&W | SOIL & WATER-2b | CONS | Construction SWPPP. | The project owner shall submit copies to the CPM of all correspondence between the project owner and the CV RWACB regarding the NPDES permit for the discharge of stormwater associated with construction activity within 10 days of its receipt or submittal. | Copies of NPDES Correspondence | Within 10 days of receipt or submittal | Ongoing | SWRCB certified on 12/5/11 | As-needed | NA | CCGS | Submitted COI (additional laydown/parking area) to SWRCB on 12/5/11. |

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| S&W | SOIL & WATER-2c | CONS | Construction SWPPP. | The project owner shall submit copies to the CPM of all correspondence between the project owner and the CV RWACB regarding the NPDES permit for the discharge of stormwater associated with construction activity within 10 days of its receipt or submittal. | SWPPP Annual Report | Annually | Ongoing | SWRCB acknowledged receipt on: 8/31/11: 8/30/12. | As-needed | NA | CCGS | Submitted Annual Report to SWRCB on: 8/31/11; 8/30/12. |
| S&W | SOIL & WATER-3a | CONS | If groundwater is encountered during construction or operation of the OGS, the project owner shall comply with the requirements of the Central Valley RWQCB Order NO. R5-2008-0081 for Waste Discharge Requirements for Dewatering and Other Low Threat Discharges to Surface Waters | Prior to any groundwater discharge or dewatering activities, the project owner shall submit a complete Notice of Intent (NOI) to obtain coverage under Central Valley RWQCB Order No. R5-2008-0081. | Notice of Intent | Prior to any groundwater discharge or dewatering activities | As-needed | | As-needed | NA | CH2 | |
| S&W | SOIL & WATER-3b | CONS | Groundwater | Submit copies to the CPM of all correspondence between the project owner and the Central Valley RWQCB regarding Order No. R5-2008-0081, including the NOI, within 10 days of its receipt or submittal. | Correspondence | Within 10 days of receipt or submittal | As-needed | | As-needed | NA | CCGS | |
| S&W | SOIL & WATER-4a | CONS | Freshwater supplied by the potable connection with Diablo Water District (DWD) shall be used as the primary water supply for project operation for process, sanitary, and landscape irrigation purposes. | Prior to using potable and recycled water for construction or operational uses, the project owner shall submit to the CPM evidence that metering devices have been installed and are operational on the water supply and distribution systems. When the metering devices are serviced, tested and calibrated, the project owner shall provide a report summarizing these activities in the next annual compliance report. Those metering devices shall be operational for the life of the project. | Verification Letter/Initial ACR | At least 60 days prior to commercial operation | TBD | | Not Started | NA | CCGS | |
| S&W | SOIL & WATER-4b | OPS | Water | The project owner shall monitor and record the total water used, in gallons per day, on a monthly basis including recycled water from ISD and potable water from DWD. | ACR | Annually | Ongoing | | Not Started | NA | CCGS | |
| S&W | SOIL & WATER-4c | OPS | Freshwater use shall not exceed the annual water use-limit of 250 acre-feet per year. | The project owner, in the annual compliance report, shall provide a Water Use Summary that states the source and quantity of potable and recycled water used on a monthly basis and on an annual basis in units of acre-feet. The project owner shall include in the annual compliance report information sufficient for the CPM to determine the status of the recycled water program being implemented by ISD and which criteria for use of recycled water have been met and what remains to be completed to satisfy the criteria for use of recycled water. Prior annual water use including yearly range and yearly average shall be reported in subsequent annual compliance reports (ACR). | ACR | Annually | Ongoing | | Not Started | NA | CCGS | |
| S&W | SOIL & WATER-4d | OPS | Water | The Project owner shall notify the CPM of any disruptions in the primary recycled water supply exceeding 24 hours. | Notification | As-needed | As-needed | | As-needed | NA | CCGS | |
| S&W | SOIL & WATER-4e | OPS | Water | For any planned disruptions in the primary recycled water supply that will exceed 7 days, the Project owner shall obtain CPM approval on a water supply disruption plan that outlines the reasons and duration for the planned disruption, and the volume of secondary water that will be utilized during the planned disruption. | Notification | As-needed | As-needed | | As-needed | NA | CCGS | |
| S&W | SOIL & WATER-4f | OPS | Following commencement of project operations and within eighteen (18) months of all of the following conditions being met, and assuming the CEC approves a project amendment allowing the project to use recycled water and dispose of the associated high TDS wastewater, the primary water supply for project operations including all process and landscape irrigation shall be exclusively recycled water provided by Ironhouse Sanitary District (ISD) or other entity that can provide recycled water with the same water quality as ISD as approved by the CPM. | Within six (6) months of all of the criteria outlined for converting to recycled water are met, the project owner shall submit an amendment pursuant to California Code of Regulations Title 20 Section 1769(a) proposing project use of recycled water. | Amendment | 6 months after criteria are met | Ongoing | | Not Started | NA | CCGS | |
| S&W | SOIL & WATER-4g | OPS | Use of recycled water shall be limited to 280 acre-feet per year (or as determined in review of the project amendment). After the project switches to the primary recycled water supply, the backup water supply for the project operation for process and landscape irrigation shall be freshwater provided by the potable connection with DWD. The use of freshwater from DWD for these purposes shall be limited to 25 acre-feet per year. | The project owner, in the annual compliance report, shall provide a Water Use Summary that states the source and quantity of potable and recycled water used on a monthly basis and on an annual basis in units of acre-feet. The project owner shall include in the annual compliance report information sufficient for the CPM to determine the status of the recycled water program being implemented by ISD and which criteria for use of recycled water have been met and what remains to be completed to satisfy the criteria for use of recycled water. Prior annual water use including yearly range and yearly average shall be reported in subsequent Annual Compliance Report (ACR). | ACR | Annually (Following conversion to Recycled Water) | Ongoing | | Not Started | NA | CCGS | |
| S&W | SOIL & WATER-5a | CONS | Comply with the requirements of the General NPDES permit for discharges of storm water associated with industrial activity. Develop and implement a SWPPP for the operation of the site. Ensure that only stormwater is discharged onto the site. | At least 30 days prior to commercial operation, submit the OGS operational SWPPP to the CPM. | Operation SWPPP | At least 30 days prior to commercial operation | TBD | | Not Started | NA | CH2 | |

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| S&W | SOIL & WATER-5b | CONS | Comply with the requirements of the General NPDES permit for discharges of storm water associated with industrial activity. Develop and implement a SWPPP for the operation of the site. Ensure that only stormwater is discharged. | Within 10 days of mailing or receipt of the operational SWPPP, submit to the CPM any correspondence, as specified by this condition, between the project owner and the RWQCB about the general NPDES permit for discharge of storm water associated with industrial activity. | Copies of Correspondence | Within 10 days of receipt or submittal | Ongoing | | In-progress | NA | CH2 | |
| S&W | SOIL & WATER-6a | PC | Upon project approval, the project owner shall develop and implement a Wetland E Monitoring and Adaptive Management Plan (Plan) (see BIO-19) in this condition. | At least 60 days prior to the start of any construction related ground disturbance, the project owner shall submit a copy of the Draft Wetland E Monitoring and Adaptive Management Plan to the CPM, California Department of Fish and Game (DFG) and the Central Valley RWQCB (CV RWQCB) for review and comment. | Draft Wetland E Monitoring and Adaptive Management Plan | At least 60 days prior to the start of any construction related ground disturbance | | | Completed | NA | CH2 | |
| S&W | SOIL & WATER-6b | PC | Wetland Monitoring and Adaptive Management Plan for Mitigation Wetland E | The CPM in consultation with DFG and the CV RWQCB, will determine the plan's acceptability. At least 15 days prior to the start of any construction related ground disturbance, the project owner shall provide the CPM with the final version of the Wetland E Monitoring and Adaptive Management Plan. | Mitigation Wetland E Monitoring and Adaptive Management Plan with comments | At least 15 days prior to the start of any construction related ground disturbance | | | Completed | NA | CH2 | |
| S&W | SOIL & WATER-6c | CONS | Wetland Monitoring and Adaptive Management Plan for Mitigation Wetland E | The Wetland E Monitoring and Adaptive Management Plan shall be implemented prior to construction, including a minimum of one rainy season of pre-construction data collection. | Minimum of One-Season of Monitoring Data | Prior to construction | | | Completed | NA | CH2 | Rainfall and water depth monitoring commenced in November 2010; one rainy season of pre-construction data collected prior to CEC issued LNTP/FNTP in June 2011. |
| S&W | SOIL & WATER-6d | CONS | Wetland Monitoring and Adaptive Management Plan for Mitigation Wetland E | During construction, the project owner shall provide monitoring data in the monthly compliance report on the effectiveness of the drainage, erosion and sediment control measures and the results of monitoring and maintenance activities. | MCR | Monthly | Ongoing | | In-progress | NA | CH2 | |
| S&W | SOIL & WATER-6e | OPS | Wetland Monitoring and Adaptive Management Plan for Mitigation Wetland E | Submit annual reports to the CPM, DFG, and the CV RWQCB detailing the results of water level monitoring and water quality sampling and analysis. The annual reports shall also document all maintenance activities implemented and compliance with all goals, objectives and performance standards in the Wetland E Monitoring and Adaptive Management Plan. The annual monitoring reports shall fully describe the status of the hydrology and water quality at Wetland E and any adaptive management measures implemented. Annual monitoring reports shall be submitted for review and approval annually within 30 days of the anniversary date of the commencement of habitat improvements for the life of the project. | ACR | Annually | Ongoing | | Not Started | NA | CCGS | |
| S&W | SOIL & WATER-6f | OPS | Wetland Monitoring and Adaptive Management Plan for Mitigation Wetland E | The project owner shall submit copies to the CPM of all correspondence between the project owner and CDFG and/or the CV RWQCB regarding the Wetland E Monitoring and Adaptive Management. | Correspondence | As-needed | As-needed | | As-needed | NA | CCGS | |
| S&W | SOIL & WATER-6g | CONS | Wetland Monitoring and Adaptive Management Plan for Mitigation Wetland E | Water quality samples shall be collected from the discharge point to Wetland E during the rainy season. Discharge samples shall be collected following the first three rainfall events of 0.5 inch or greater for each year of construction and the first five years of operation. In addition, water quality sampling and analysis shall be required for the first three rainfall events of 0.5 inch or greater following a reported release of hazardous materials at the site. If sample analysis results exceed RWQCB Benchmark values or US EPA Ambient Water Quality Criteria for Protection of Freshwater Aquatic Life during the first five years of operation or following a release of hazardous materials, water quality sampling and analysis shall continue until three contiguous years of water quality analyses meet the RWQCB Benchmark values and US EPA Water Quality Criteria. Sample analyses shall include tests for pH, Dissolved Oxygen, Total Suspended Solids, Specific Conductance, Oil & Grease, and metals (Arsenic, Chromium, Iron, Selenium, Lead, Mercury, etc.). If analysis results exceed RWQCB Benchmark values or US EPA Water Quality Criteria, contingency plans should be implemented to improve or augment the stormwater quality treatment Best Management Practices on site. | Water Sampling | As-needed after discharge points are installed | Ongoing | | Not Started | NA | CCGS | |
| S&W | SOIL & WATER-6h | OPS | Wetland Monitoring and Adaptive Management Plan for Mitigation Wetland E | Same as SOIL&WATER-6g. | Water Sampling | As-needed | As-needed | | As-needed | NA | CCGS | |
| S&W | SOIL & WATER-7a | CONS | Wastewater discharge should be limited to a maximum of 200-gpm and comply with the Ironhouse Sanitary District's Wastewater Discharge Requirements. | No later than 90 days prior to operation, the project owner shall submit to the Ironhouse Sanitary District a copy of the Wastewater Discharge Sampling and Analysis Plan for review and comment | Wastewater Discharge Sampling and Analysis Plan | No later than 90 days prior to operation | TBD | | Not Started | NA | CCGS | |
| S&W | SOIL & WATER-7b | CONS | Wastewater Discharge Sampling and Analysis Plan | No later than 60 days prior to operation, the project owner shall submit the Wastewater Discharge Sampling and Analysis Plan with the Ironhouse Sanitary District's comments to the CPM for review and approval | Wastewater Discharge Sampling and Analysis Plan with comments | No later than 60 days prior to operation | TBD | | Not Started | NA | CCGS | |

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| S&W | SOIL & WATER-7c | OPS | Wastewater Discharge Sampling and Analysis Plan | The project owner shall provide information on the results of sample analysis results for wastewater discharge in the annual compliance report. | ACR | Annually | Ongoing | | Not Started | NA | CCGS | |
| S&W | SOIL & WATER-7d | OPS | Wastewater Discharge Sampling and Analysis Plan | The project owner shall submit copies to the CPM of all correspondence between the project owner and Ironhouse Sanitation District DFG and/or the CV RWQCB regarding wastewater discharge | Correspondence | As needed | As-needed | | As-needed | NA | CCGS | |
| STRUC | STRUC-1a | CONS | Prior to the start of any increment of construction, submit plans, calculations and other supporting documentation, as described in this condition to the CBO for design review and acceptance for all project structures and equipment identified in the CBO-approved master drawing and master specifications list. | At least 60 days (or project owner- and CBO-approved alternative time frame) prior to the start of any increment of construction of any structure or component listed in the CBO-approved master drawing and master specifications list, submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM. | Final Design Plans, Specs & Calcs with Transmittal Letter | At least 60 days prior to the start of any increment of construction of listed component in the CBO-approved master drawing and specifications list | Ongoing | CBO approved on 6/3, 5, 9 and 16/11 | In-progress | NA | EPC | |
| STRUC | STRUC-1b | CONS | Prior to the start of any increment of construction, submit plans, calculations and other supporting documentation, as described in this condition to the CBO for design review and acceptance for all project structures and equipment identified in the CBO-approved master drawing and master specifications list. | At least 60 days (or project owner- and CBO-approved alternative time frame) prior to the start of any increment of construction of any structure or component listed in the CBO-approved master drawing and master specifications list, submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM. | Final Design Plans, Specs & Calcs with Transmittal Letter | At least 60 days prior to the start of any increment of construction of listed component in the CBO-approved master drawing and specifications list | Ongoing | | In-progress | NA | EPC | |
| STRUC | STRUC-1c | CONS | Construction Plans | 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 comply with the requirements set forth in applicable engineering LORS. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | 1-time: In the following MCR. |
| STRUC | STRUC-2a | CONS | Submit to the CBO the required number of sets of the documents listed in this condition related to work that has undergone CBO design review and approval: Concrete cylinder strength test reports; Concrete pour sign-off sheets; Bolt torque inspection reports; Field weld inspection reports; and Reports covering other structural activities requiring special inspections. | | See condition text for document list | On a schedule suitable to the CBO | Ongoing | | In-progress | NA | EPC | |
| STRUC | STRUC-2b | CONS | Structural | If a discrepancy is discovered in the data listed in this condition, 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. The NCR shall reference the condition(s) and the applicable CBC chapter and section. | (If Needed) | Within 5 days of discovering a discrepancy | As-needed | | As-needed | NA | EPC | |
| STRUC | STRUC-2c | CONS | Structural | Within five days of resolution of the NCR, submit a copy of the corrective action to the CBO and the CPM. | (If Needed) | Within five days of resolution of the NCR | As-needed | | As-needed | NA | EPC | |
| STRUC | STRUC-2d | CONS | Structural | The project owner shall transmit a copy of the CBO's approval or disapproval of the corrective action to the CPM within 15 days. If 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. | (If Needed) | Within 15 days of receiving approval or disapproval | As-needed | | As-needed | NA | EPC | |
| STRUC | STRUC-3a | CONS | Submit to the CBO design changes to the final plans required by the 2010 CBC, including the revised drawings, specifications, calculations, and a complete description of, and supporting rationale for, the proposed changes, and shall give to the CBO prior notice of the intended filing. | On a schedule suitable to the CBO, notify the CBO of the intended filing of design changes, and 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. | (If Needed) | On a schedule suitable to the CBO | As-needed | | As-needed | NA | EPC | |
| STRUC | STRUC-3b | CONS | Structural | Notify the CPM, via the monthly compliance report, when the CBO has approved the revised plans. | MCR | Monthly | As-needed | | As-needed | NA | EPC | 1-time: In the following MCR. |
| STRUC | STRUC-4a | CONS | Tanks and vessels containing quantities of toxic or hazardous materials exceeding amounts specified in the 2010 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 time frame) prior to the start of installation of the tanks or vessels containing the specified quantities of toxic or hazardous materials, 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. | Final design plans, Specs & Calcs Engineer certification | At least 30 days prior to the start of installation of the tanks or vessels | TBD | | Not Started | NA | EPC | |
| STRUC | STRUC-4b | CONS | Structural | 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. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | 1-time: In the following MCR. |
| TLSN | TLSN-1 | CONS | Construct the proposed 230-kV transmission lines according to the requirements of California Public Utility Commission's GO-95, GO-52, GO-131-D, Title 8, and Group 2, High Voltage Electrical Safety Orders, sections 2700 through 2974 of the California Code of Regulations, and PG&E's EMF-reduction guidelines. | At least 30 days before starting the construction of the transmission line or related structures and facilities, submit to the CPM a letter signed by a California registered electrical engineer affirming that the lines will be constructed according to the requirements stated in this condition. | Confirmation Letter | At least 30 days before starting the upgrade of the transmission line or related structures and facilities | TBD | | Not Started | NA | CCGS | |
| TLSN | TLSN-2a | OPS | Use a qualified individual to measure the strengths of the electric and magnetic fields from each line as outlined in this condition. These measurements shall be completed not later than six months after the start of operations. | These measurements shall be completed not later than six months after the start of operations. | -- | Within 6 months after the start of operations | TBD | | Not Started | NA | PGE | |

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| TLSN | TLSN-2b | OPS | Electric/magnetic measurements. | File copies of the post-energization measurements with the CPM within 60 days after completion of the measurements. | Post-energization Measurements | Within 60 days of the post-energization measurements | TBD | | Not Started | NA | PGE | |
| TLSN | TLSN-3 | OPS | The rights-of-way of the proposed transmission lines shall be kept free of combustible material as required under the provisions of section 4292 of the Public Resources Code and section 1250 of Title 14 of the California Code of Regulations. | During the first 5 years of plant operation, provide a summary of inspection results and any fire prevention activities carried out along the right-of-way of the line and provide such summaries in the Annual Compliance Report. | ACR | Annually during the first five years of plant operation | Ongoing | | Not Started | NA | CCGS | |
| TLSN | TLSN-4 | CONS | Ensure that all permanent metallic objects within the rights-of-way of the project-related line is grounded according to industry standards. | At least 30 days before the line is energized, transmit to the CPM a letter confirming compliance with this condition. | Confirmation Letter | At least 30 days before the lines are energized | TBD | | Not Started | NA | PGE | |
| TLSN | TLSN-5 | OPS | Identify and correct any complaints of interference with radio or television signals from operation of the project-related line and associated switchyards. Maintain written records for a period of five years, of all complaints of radio or television interference attributable to line operation together with the corrective action taken in response to each complaint. This record shall be submitted in an Annual Report to the Compliance Project Manager on transmission line safety and nuisance-related requirements. | All reports of line-related complaints shall be summarized for the project-related lines and included during the first five years of plant operation in the Annual Compliance Report. | ACR | Annually during the first five years of plant operation | Ongoing | | Not Started | NA | CCGS | |
| TRANS | TRANS-1 | PC | Consult with the city of Oakley and prepare and submit to the CPM for approval a Construction Traffic Control Plan and implementation program. The Construction Traffic Control Plan must be prepared in accordance with Caltrans Manual on Uniform Traffic Control Devices and the WATCH Manual and must comply with conditions. | At least 30 days prior to site mobilization, the project owner or contractor shall provide the Construction Traffic Control Plan to the CPM for review and approval. | Construction Traffic Control Plan | At least 30 days prior to site mobilization | | | Completed | NA | CH2 | |
| TRANS | TRANS-2a | CONS | All temporary construction equipment over 200-feet in height shall have lighting and marking consistent with FAA Advisory circular 70/7460-1 K, Obstruction Marking and Lighting, 34 (Markers) for temporary construction equipment so not to create a hazard to air navigation. | Submit FAA Form 7460-2, Notice of Actual Construction or Alteration, to the FAA at least 10 days prior to start of construction. | FAA Form 7460-2, Notice of Actual Construction or Alteration | At least 10 days prior to start of construction | TBD | | Not Started | NA | EPC | Request change to 10 days prior to use of equipment over 200 feet instead of 10 days prior to start of construction. |
| TRANS | TRANS-2b | CONS | All temporary construction equipment over 200-feet in height shall have lighting and marking consistent with FAA Advisory circular 70/7460-1 K, Obstruction Marking and Lighting, 34 (Markers) for temporary construction equipment so not to create a hazard to air navigation. | Submit FAA Form 7460-2, Notice of Actual Construction or Alteration within 5 days after the construction reaches its greatest height (7460-2, Part II). | FAA Form 7460-2, Notice of Actual Construction or Alteration | Within 5 days after the construction reaches its greatest height | TBD | | Not Started | NA | EPC | |
| TRANS | TRANS-3a | PC | Prior to the start of construction, submit a copy of the images for the roadway segments to the CPM, city of Oakley, Contra Costa County, and/or Caltrans. Also prior to start of construction, the project owner shall notify the city, Contra Costa County, and/or Caltrans about the schedule for project construction. | Prior to the start of site mobilization, photograph or videotape all affected public roads, easements, right-of-way segment(s), and/or intersections and provide the CPM, the affected local jurisdiction(s), and Caltrans with a copy of these images. | Photo/Video of pre-project road conditions | Prior to the start of construction | | | Completed | NA | EPC | |
| TRANS | TRANS-3b | PC | Prior to start of construction, the project owner shall notify the city, Contra Costa County, and/or Caltrans about the schedule for project construction. | Purpose of this notification is to postpone any planned roadway resurfacing and/or improvement projects until after the project construction has taken place and to coordinate construction-related activities associated with other projects. | Notification Letter | Prior to the start of construction | | | Completed | NA | CCGS | |
| TRANS | TRANS-3c | CONS | Following completion of project construction, the project owner shall repair any damage to roadways affected by construction activity along with the primary roadways identified in the traffic control plan for construction traffic to the road's pre-project construction condition | Within 30 days after completion of the project, the project owner shall meet with the CPM and city of Oakley to determine and receive approval for the actions necessary and schedule to complete the repair of identified sections of public roadways to original or as near-original condition as possible. | Meeting | Within 30 days after completion of the project | TBD | | Not Started | NA | CCGS | |
| TRANS | TRANS-3d | CONS | Repair damage to roadways. | Following completion of any regional road improvements, the project owner shall provide to the CPM a letter from Contra Costa County, Caltrans, or other relevant jurisdiction if work occurred within its jurisdictional public ROW stating its satisfaction with the road improvements | Letter from Contra Costa County, Caltrans | Following completion of any regional road improvements | TBD | | Not Started | NA | CCGS | |
| TRANS | TRANS-4a | CONS | Comply with Caltrans, Contra Costa County, city of Oakley, and other relevant jurisdictions limitations on vehicle sizes, weights, roadway encroachment, and travel routes and obtain any permits required for these actions | In the Monthly Compliance Reports, the project owner shall indicate that all required permits were obtained and list the jurisdictions they were acquired from, or indicate if no permits were necessary, during that reporting period. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | |
| TRANS | TRANS-4b | OPS | Comply with Caltrans, Contra Costa County, city of Oakley, and other relevant jurisdictions limitations on vehicle sizes, weights, roadway encroachment, and travel routes and obtain any permits required for these actions | The project owner shall retain copies of all acquired permits and supporting documentation in its compliance file for at least six months after the start of commercial operation | Project Archive | As-needed | Ongoing | | Not Started | NA | CCGS | |
| TRANS | TRANS-5 | PC | Payment of Transportation Fees: Where applicable, pay Traffic Impact Fee and the Regional Transportation Development Impact Mitigation Fee to City of Oakley. | At least 30 days prior to the start of project construction, the project owner shall provide to the CPM proof of payment of the Traffic Impact Fee and the Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City | Proof of payment | At least 30 days prior to the start of project construction | | | Completed | NA | CCGS | |
| TSE | TSE-1a | CONS | Furnish to the CPM and to the CBO a schedule of transmission facility design submittals, as described in this condition, a Master Drawing List, a Master Specifications List, and a Major Equipment and Structure List. Provide designated packages to the CPM when requested. | Prior to the start of construction, submit the schedule, a Master Drawing List, and a Master Specifications List to the CBO and to the CPM. The schedule shall contain the elements listed in this condition. Additions and deletions shall be made to the table only with CPM and CBO approval. | Schedule, Master Drawing and Specifications Lists | Prior to the start of construction | TBD | | Not Started | NA | EPC/PGE | |
| TSE | TSE-1b | CONS | Transmission Facility Design | Provide schedule updates in the monthly compliance report. | (If Needed) | Monthly | As-needed | | As-needed | NA | EPC/PGE | |

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| TSE | TSE-2a | CONS | Prior to the start of construction assign an electrical engineer and at least one of each of the engineers listed in this condition to the project. No segment of the project shall have more than one responsible engineer. The electrical engineer shall preform duties (1) and (2) listed in this condition. This engineer shall be authorized to halt earthwork and to require changes if site conditions are unsafe or do not conform with predicted conditions used as a basis for design of earthwork or foundations. | Prior to the start of rough grading, submit to the CBO for review and approval, the names, qualifications and registration numbers of all the responsible engineers assigned to the project. Notify the CPM of the CBO's approvals of the engineers within five days of the approval. | Name/Quals of Responsible Engineers | Prior to the start of rough grading | TBD | | Not Started | NA | CCGS | |
| TSE | TSE-2b | CONS | If any one of the designated engineers is subsequently reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned engineer to the CBO for review and approval. | 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. Notify the CPM of the CBO's approvals of the engineers within five days of the approval. | (If Needed) | Within 5 days of replacing the engineer | As-needed | | As-needed | NA | PGE | |
| TSE | TSE-3 | CONS | If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, document the discrepancy and recommend corrective action. The discrepancy documentation shall become a controlled document and shall be submitted to the CBO for review and approval and shall reference this condition. | 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. If the corrective action is disapproved, advise the CPM, within five days, the reason for disapproval, and the revised corrective action required to obtain the CBO's approval. | (If Needed) | Within 15 days of receiving the discrepancy | As-needed | | As-needed | NA | PGE-Gen-tie EPC-Substation | |
| TSE | TSE-4a | CONS | For the power plant switchyard, outlet line and termination, do not begin any construction until plans for that increment of construction have been approved by the CBO. These plans, together with design changes and design change notices, shall remain on the site for one year after completion of construction. Request that the CBO inspect the installation. Activities (A) through (C) of this condition shall be reported in the MCR. | Prior to the start of each increment of construction, 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 verifying compliance with the applicable LORS. | Final design, specs, & calcs / RE Statement | Multi-time: Prior to the start of each increment of construction | Ongoing | | In-progress | NA | EPC/PGE | |
| TSE | TSE-4b | CONS | Activities (A) through (C) of this condition shall be reported in the MCR. | Send the CPM a copy of the transmittal letter described in this condition in the next Monthly Compliance Report. | MCR | Monthly | Ongoing | | In-progress | NA | EPC/PGE | |
| TSE | TSE-5a | CONS | The design, construction, and operation of the proposed transmission facilities will conform to all applicable LORS, and requirements (a) through (f) listed in this condition. | Prior to the start of construction of transmission facilities, submit to the CBO for approval the elements (a) through (f) listed in this condition. | See condition text for document list | Prior to the start of construction of transmission facilities | TBD | | Not Started | NA | CCGS | |
| TSE | TSE-5b | CONS | Once approved, the project owner shall inform the CPM and CBO of any anticipated changes to the design, and shall submit a detailed description of the proposed change and complete engineering, environmental, and economic rationale for the change to the CPM and CBO for review and approval. | Prior to the construction of or start of modification of transmission facilities, inform the CBO and the CPM of any anticipated changes to the design that are different from the design previously submitted and approved and submit a detailed description of the proposed change and complete engineering, environmental, and economic rationale for the change to the CPM and CBO for review and approval. | (If Needed) | Prior to the construction of or start of modification of transmission facilities | As-needed | | As-Needed | NA | CCGS | |
| TSE | TSE-6a | COMM | Provide the Notice to the California Independent System Operator (California ISO), as described in this condition, prior to synchronizing the facility with the California Transmission system. At least one week prior to synchronizing the facility with the grid for testing, provide the California ISO a letter stating the proposed date of synchronization. | Provide copies of the California ISO letter to the CPM when it is sent to the California ISO one week prior to initial synchronization with the grid. | Cal ISO Letter | At least 1 week prior to initial synchronization with the grid | TBD | | Not Started | NA | CCGS | |
| TSE | TSE-6b | COMM | At least one business day prior to synchronizing the facility with the grid for testing, provide telephone notification to the California ISO Outage Coordination Department. | Contact the California 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. A report of conversation with the California ISO shall be provided electronically to the CPM one day before synchronizing the facility with the California transmission system for the first time. | Report of Conversation with Cal ISO | At least 1 business day prior to synchronizing the facility with the grid for testing | TBD | | Not Started | NA | CCGS | |
| TSE | TSE-7a | CONS | The transmission facilities shall be inspected during and after project construction, and any subsequent CPM and CBO approved changes thereto. | Within 60 days after first synchronization of the project, transmit to the CPM and CBO items (A) through (C) of this condition. | As built Engineering descriptions / drawings / Summary of inspections | Within 60 days after first synchronization of the project | TBD | | Not Started | NA | PGE | |
| TSE | TSE-7b | 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. | In case of non-conformance, inform the CPM and CBO in writing, within 10 days of discovering such non-conformance and describe the corrective actions to be taken. | (If Needed) | Within 10 days of discovering non-conformance | As-needed | | As-needed | NA | CCGS | |
| VIS | VIS-1a | CONS | Surface Treatment of Project Structures and Buildings: Color and finish the surfaces of all project structures and buildings visible to the public. Transmission line conductors and insulators shall be non-specular and non-reflective. A surface treatment plan shall be submitted to the CPM for approval that includes measures (A) through (E) of this condition. | At least 90 days prior to applying vendor color(s) and finish(es) for structures or buildings to be surface treated during manufacture, submit the proposed treatment plan to the CPM. | Proposed Surface Treatment Plan | At least 90 days prior to applying vendor color(s) and finish(es) for structures or buildings | | CEC | In-progress | NA | EPC | Plan submitted to the CEC on 3/24/11. This pre-construction item is still pending. Example color plates have been requested by the CPM once they are available. |
| VIS | VIS-1b | CONS | Surface Treatment of Project Structures and Buildings: The applicant shall not request vendor surface treatment of any buildings or structures during their manufacture, or perform final field treatment on any buildings or structures, until the applicant has received treatment plan approval by the CPM. | If the CPM determines that the plan requires revision, provide to the CPM a plan with the specified revision(s) for review and approval by the CPM before any treatment is applied. Any modifications to the treatment plan must be submitted to the CPM for approval. | (If Needed) | Before any treatment is applied | As-needed | | As-needed | NA | EPC | |
| VIS | VIS-1c | CONS | Surface Treatment of Project Structures and Buildings: The applicant shall notify the CPM that surface treatment of all listed structures and buildings has been completed and is ready for inspection; and shall submit one set of electronic color photographs from KOPs 1 and 3 showing the "as built" surface treated structures and buildings. | Prior to the start of commercial operation, notify the CPM that surface treatment of all listed structures and buildings has been completed and is ready for inspection; and submit one set of electronic color photographs from KOPs 1 and 3 showing the "as built" surface treated structures and buildings. | Notification of surface treatment completion and photographs from KOPs 1 & 3 | Prior to the start of operations | TBD | | Not Started | NA | EPC | |

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| VIS | VIS-1d | OPS | Surface Treatment of Project Structures and Buildings: The surface treatment plan shall include a procedure to ensure proper treatment maintenance for the life of the project. | Provide a status report regarding surface treatment maintenance in the Annual Compliance Report. The report shall specify a): the condition of the surfaces of all structures and buildings at the end of the reporting year; b) major maintenance activities that occurred during the reporting year; and c) the schedule of major maintenance activities for the next year. | ACR | Annually | Ongoing | | Not Started | NA | CCGS | |
| VIS | VIS-2a | CONS | Submit to the CPM for review and approval and simultaneously to the City of Oakley and the local water purveyor for review and comment a Landscape Documentation Package which includes measures (a) through (d) of this condition. | The landscaping plan shall be submitted to the CPM for review and approval and simultaneously to the City of Oakley for review and comment at least 90 days prior to installation. | Landscaping Plan | At least 90 days prior to installation | TBD | | Not Started | NA | EPC | |
| VIS | VIS-2b | CONS | Create landscape screening of sufficient density and height to screen the power plant structures to the greatest feasible extent within the shortest feasible time. | Planting must occur during the first optimal planting season following site mobilization. | Planting | First optimal planting season following site mobilization | TBD | | Not Started | NA | EPC | |
| VIS | VIS-2c | OPS | Provide timely replacement for aging or diseased tree specimens on site in order to avoid future loss of existing visual screening. | The project owner shall simultaneously notify the CPM and the City of Oakley within seven days after completing installation of the landscape plan, that the site is ready for inspection. | Landscape Installation Verification Report | Within seven days after completing installation | TBD | | Not Started | NA | CCGS | |
| VIS | VIS-2d | OPS | Landscaping plan. | The project owner shall report landscape maintenance activities, including replacement of dead or dying vegetation, for the previous year of operation in each Annual Compliance Report. | ACR | Annually | Ongoing | | Not Started | NA | CCGS | |
| VIS | VIS-3a | CONS | Construction Activity Lighting: To the extent feasible given safety and security concerns, lighting on the construction site and the construction laydown area shall minimize potential night lighting impacts, as outlined in (A) through (D) of this condition. | At least 90 days prior to ordering any permanent exterior lighting, the project owner shall contact the CPM to discuss the documentation required in the lighting mitigation plan. | Notification to CPM | At least 90 days prior to ordering | TBD | | Not Started | NA | EPC | |
| VIS | VIS-3b | CONS | Construction Activity Lighting. | Within 7 days after the first use of construction lighting, notify the CPM that the lighting is ready for inspection. | Notification to CPM | Within 7 days after the first use of construction lighting | | CEC | Completed | NA | EPC | CEC notified via email on 8/31/11. |
| VIS | VIS-3c | CONS | Construction Activity Lighting. | If the CPM notifies the applicant that modifications to the lighting are needed to minimize impacts, within 15 days of receiving that notification implement the necessary modifications and notify the CPM that the modifications have been completed. | (If Needed) | Within 15 days of receiving notification | As-needed | | As-needed | NA | EPC | |
| VIS | VIS-3d | CONS | Construction Activity Lighting: If the applicant receives a complaint about construction lighting, the applicant shall notify the CPM and shall use the complaint resolution form included in the General Conditions section of the Compliance Plan to record each lighting complaint and to document the resolution of that complaint. The applicant shall provide a copy of each complaint form to the CPM. | Within 48 hours of receiving a lighting complaint, 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. | (If Needed) | Within 48 hours of receiving a lighting complaint | As-needed | | As-needed | NA | CCGS | |
| VIS | VIS-3e | CONS | Construction Activity Lighting. | Notify the CPM within 48 hours after completing implementation of the proposal to resolve the lighting complaint. | (If Needed) | Within 48 hours of implementing the proposal to resolve a lighting complaint | As-needed | | As-needed | NA | CCGS | |
| VIS | VIS-3f | CONS | Construction Activity Lighting. | A copy of the complaint resolution form report shall be submitted to the CPM within 30 days of complaint resolution. | (If Needed) | Within 30 days of complaint resolution | As-needed | | As-needed | NA | CCGS | |
| VIS | VIS-3g | CONS | Permanent Exterior Lighting: To the extent feasible, consistent with safety and security considerations and commercial availability, design and install all permanent exterior lighting as described in measures (a) through (f) of this condition. Provide to the CPM a lighting management plan that includes at a minimum the elements described in this condition. | At least 90 days prior to ordering any permanent exterior lighting, the project owner shall contact the CPM to discuss the documentation required in the lighting mitigation plan. | Meeting with CPM | At least 90 days prior to ordering any permanent exterior lighting | TBD | | Not Started | NA | CCGS | |
| VIS | VIS-3h | CONS | Permanent Exterior Lighting. | At least 60 days prior to ordering any permanent exterior lighting, the project owner shall submit to the CPM for review and approval and simultaneously to the City of Oakley for review and comment a lighting mitigation plan. The project owner shall not order any exterior lighting until receiving CPM approval of the lighting mitigation plan. | Lighting Mitigation Plan | At least 60 days prior to ordering any permanent exterior lighting | TBD | | Not Started | NA | EPC | |
| VIS | VIS-3i | CONS | Permanent Exterior Lighting. | Prior to commercial operation, the project owner shall notify the CPM that the lighting has been completed and is ready for inspection. If after inspection the CPM notifies the project owner that modifications to the lighting are needed, within 30 days of receiving that notification the project owner shall implement the modifications and notify the CPM that the modifications have been completed and are ready for inspection | (If Needed) | Within 30 days of receiving CPM's notification | As-needed | | As-needed | NA | EPC | |
| VIS | VIS-3j | CONS | Permanent Exterior Lighting. | Prior to commercial operation, notify the CPM that the lighting has been installed and is ready for inspection. | Notification to CPM | Prior to commercial operation | TBD | | Not Started | NA | EPC | |
| VIS | VIS-3k | CONS | Permanent Exterior Lighting. | If after inspection the CPM notifies the applicant that modifications to the lighting are needed, within 30 days of receiving notification implement the modifications and notify the CPM that the modifications have been completed and are ready for inspection. | (If Needed) | Within 30 days of receiving notification | As-needed | | As-needed | NA | EPC | |

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| VIS | VIS-3l | OPS | Permanent Exterior Lighting. | Notify the CPM within 10 days after completing implementation of the proposal. | (If Needed) | Within 10 days of implementing a proposal to resolve a lighting complaint | As-needed | | As-needed | NA | CCGS | |
| VIS | VIS-3m | OPS | Permanent Exterior Lighting: If the applicant receives a complaint about project lighting, the applicant shall notify the CPM and shall use the complaint resolution form included in the General Conditions section of the Compliance Plan to record each lighting complaint and to document the resolution of that complaint. The applicant shall provide a copy of each complaint form to the CPM. | Within 48 hours of receiving a lighting complaint, 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. | (If Needed) | Within 48 hours of receiving a lighting complaint | As-needed | | As-needed | NA | CCGS | |
| VIS | VIS-3n | OPS | Permanent Exterior Lighting. | Notify the CPM within 48 hours after completing implementation of the proposal to resolve the lighting complaint. | (If Needed) | Within 48 hours of implementing the proposal to resolve a lighting complaint | As-needed | | As-needed | NA | CCGS | |
| VIS | VIS-3o | OPS | Permanent Exterior Lighting. | A copy of the complaint resolution form report shall be submitted to the CPM within 30 days of complaint resolution. | (If Needed) | Within 30 days of complaint resolution | As-needed | | As-needed | NA | CCGS | |
| WASTE | WASTE-1 | CONS | Dispose of existing waste along the transmission line route within parcels where PG&E has the legal right to remove waste (including aboveground tanks, empty drums, and other equipment and materials) prior to initiation of construction of the transmission line for OGS. PG&E will ensure proper handling of waste from areas disturbed during the construction of the transmission line. | At least 60 days prior to the start of site mobilization to construct the transmission line, the project owner shall provide to the CPM a list of the types and amount of existing waste to be disposed of from the OGS transmission route. | Disposed wastes list, and the solid sampling and analysis report | At least 60 days prior to the start of site mobilization | TBD | | Not Started | NA | CCGS | Item tied to the T-line schedule. |
| WASTE | WASTE-2 | PC | Submit a Soils Management Plan (SMP) to the CPM for approval. | At least 60 days prior to any earthwork, including those earthwork activities associated with the site mobilization, ground disturbance, or grading as defined in the general conditions of certification the project owner shall submit the Soils Management Plan to the CPM for approval. | Soils Management Plan | At least 60 days prior to any earthwork | | | Completed | NA | CCGS | |
| WASTE | WASTE-3 | PC | Provide the resume of an experienced and qualified Professional Engineer or Professional Geologist, who shall be available for consultation during site characterization (if needed), excavation and grading activities, to the CPM for review and approval. The resume shall show experience in remedial investigation and feasibility studies. The Professional Engineer or Professional Geologist shall be given full authority by the project owner to oversee any earth moving activities that have the potential to disturb contaminated soil. | At least 30 days prior to the start of site mobilization, submit the resume of the Professional Engineer or Professional Geologist to the CPM for review and approval. | Professional Engineer / Geologist Resume | At least 30 days prior to the start of site mobilization | | | Completed | NA | CH2 | |
| WASTE | WASTE-4a | CONS | If potentially contaminated soil is identified, the Professional Engineer or Geologist shall inspect the site, determine the need for sampling, and provide a written report to the project owner, representatives of Department of Toxic Substances Control, and the CPM stating the recommended course of action. | Submit any final reports filed by the Professional Engineer or Professional Geologist to the CPM within 5 days of their receipt. | (If Needed) | Within 5 days of receiving any reports filed by the Professional Engineer or Geologist | As-needed | | As-needed | NA | CH2 | |
| WASTE | WASTE-4b | CONS | The Professional Engineer or Geologist shall have the authority to temporarily suspend construction activity at that location for the protection of workers or the public. If, in the opinion of the Professional Engineer or Professional Geologist, significant remediation may be required, the project owner shall contact the CPM and representatives of the Department of Toxic Substances Control for guidance and possible oversight. | Notify the CPM within 24 hours of any orders issued to halt construction. | (If Needed) | Within 24 hours of any orders issued to halt construction | As-needed | | As-needed | NA | CH2 | |
| WASTE | WASTE-5 | PC | Prepare a Construction Waste Management Plan for all wastes generated during construction of the facility, and submit the plan to the CPM for review and approval. The plan shall contain, at a minimum, the elements listed in this condition. | Submit the Construction Waste Management Plan to the CPM for approval no less than 30 days prior to the initiation of construction activities at the site. | Construction Waste Management Plan | At least 30 days prior to start of construction | | | Completed | NA | CH2 | |
| WASTE | WASTE-6a | PC | Submit a Construction and Demolition Debris Recycling Plan (CDDR Plan) to the city of Oakley. Project mobilization and construction shall not proceed until the City issues an approval document and the CPM provides written concurrence. | At least 60 days prior to the start of any construction activities, the project owner shall submit the proposed CDDR Plan, along with any comments received from the city of Oakley, to the CPM for review and approval. | CDDR Plan and comments | At least 60 days prior to the start of any construction activities | | City of Oakley approved on 8/4/11 | Completed | NA | CH2 | Debris Recovery Plan: Pre-Construction form submitted to the City of Oakley on 8/4/11. |
| WASTE | WASTE-6b | PC | CDDR Plan Fees. | Prior to the start of any construction activities, submit required deposit and administrative fees. | Payment / Proof of payment | Prior to the start of any construction activities | | | Completed | NA | CCGS | |
| WASTE | WASTE-6c | OPS | Submit compliance documentation to the City of Oakley and the CPM. | Not later than 60 days after completion of project construction, the project owner shall submit documentation of compliance with the diversion program requirements to the CPM and city. The required documentation shall include a Recycling and Reuse Summary Report, along with all necessary receipts and records of measurement from entities receiving project wastes. | Recycling and Reuse Summary Report and receipts/records from entities receiving project wastes | Not later than 60 days after completion of project construction | TBD | | Not Started | NA | CCGS | |

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| WASTE | WASTE-6d | PC | Submit a CDDR Plan to the city of Antioch . Project mobilization and construction shall not proceed until the City issues an approval document and the CPM provides written concurrence. | At least 60 days prior to the start of any transmission line construction activities, submit the proposed Waste Management Plan, along with any comments received from the city of Antioch, to the CPM for review and approval. Project mobilization and construction shall not proceed until the city of Antioch issues an approval document, consistent with the city's normal building permit approval, and the CPM provides written concurrence. | CDDR Plan and comments | At least 60 days prior to start of T-line construction activities | | | Completed | NA | CH2 | The City of Antioch has requested that all waste from the T-line be managed through the City of Oakley recycling plan. |
| WASTE | WASTE-6e | PC | CDDR Plan Fees. | Prior to the start of any transmission line construction activities within the city of Antioch limits, submit to the city of Antioch, documentation consistent with the requirements of the city's CDDR Program, along with the normally required deposit and administrative fees. | Payment / Proof of payment | Prior to the start of any T-line construction activities | | | Completed | NA | CCGS | The City of Antioch has requested that all waste from the T-line be managed through the City of Oakley recycling plan. |
| WASTE | WASTE-6f | OPS | Submit compliance documentation to the City of Antioch and the CPM. | Not later than 60 days after completion of project construction, submit documentation of compliance with the diversion program requirements to the CPM and city. The required documentation shall include a Waste Management Plan completed in accordance with the city's requirements. | Recycling and Reuse Summary Report and receipts/records from entities receiving project wastes | Not later than 60 days after completion of project construction | TBD | | Not Started | NA | CCGS | See City of Oakley requirement (WASTE-6c). |
| WASTE | WASTE-7 | CONS | Obtain a hazardous waste generator identification number from the USEPA prior to generating any hazardous waste during construction. Obtain a hazardous waste generator identification number prior to generating any hazardous waste during operations. | Keep a copy of the identification number on file at the project site and provide the number to the CPM in the next Monthly Compliance Report. | MCR | Monthly | | CAL EPA Haz Waste Generator ID No. issued on 4/21/11. US EPA Haz Waste Generator ID No. issued on 6/14/11. | Completed | NA | CCGS | CAL EPA Haz Waste Generator No. CAL000363217. US EPA Haz Waste Generator ID No. CAR000219410. |
| WASTE | WASTE-8 | CONS | Upon becoming aware of any impending waste management-related enforcement action, 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. | Notify the CPM in writing within 10 days of becoming aware of an impending enforcement action. The CPM shall notify the project owner of any changes that will be required in the way project-related wastes are managed. | (If Needed) | Within 10 days of becoming aware of an impending enforcement action | As-needed | | As-needed | NA | CCGS | |
| WASTE | WASTE-9a | CONS | Prepare an Operation Waste Management Plan for all wastes generated during operation of the facility, and shall submit the plan to the CPM for review and approval. The plan shall contain, at a minimum, the elements listed in this condition. | Submit the Operation Waste Management Plan to the CPM for approval no less than 30 days prior to the start of project operation. Submit any required revisions to the CPM within 20 days of notification from the CPM that revisions are necessary. | Operation Waste Management Plan | At least 30 days prior to the start of operation | TBD | | Not Started | NA | CCGS | |
| WASTE | WASTE-9b | CONS | Prepare an Operation Waste Management Plan for all wastes generated during operation of the facility, and shall submit the plan to the CPM for review and approval. The plan shall contain, at a minimum, the elements listed in this condition. | Submit any required revisions to the CPM within 20 days of notification from the CPM that revisions are necessary. | (If Needed) | Within 20 days of Notification | As-needed | | As-needed | NA | CCGS | |
| WASTE | WASTE-9c | OPS | Operation Waste Management Plan. | Document in each Annual Compliance Report the actual volume of wastes generated and the waste management methods used during the year; provide a comparison of the actual waste generation and management methods used to those proposed in the original Operation Waste Management Plan; and update the Operation Waste Management Plan as necessary to address current waste generation and management practices. | ACR | Annually | Ongoing | | Not Started | NA | CCGS | |
| WASTE | WASTE-10 | CONS | All spills or releases of hazardous substances, materials, or waste shall be reported, cleaned-up, and remediated as necessary, in accordance with all applicable federal, state, and local requirements. | Document, as described in this condition all unauthorized releases and spills of hazardous substances, materials, or wastes that occur on the project property or related pipeline and transmission corridors. Copies of the unauthorized spill documentation shall be provided to the CPM within 30 days of the date the release was discovered. | (If Needed) | Within 30 days of the date the release was discovered | As-needed | | As-needed | NA | EPC | |
| WORKER SAFETY | WORKER SAFETY-1 | PC | Submit to the CPM the Project Construction Safety and Health Program containing the elements listed in this condition. The Personal Protective Equipment Program, the Exposure Monitoring Program, and the Injury and Illness Prevention Program shall be submitted to the CPM for review and approval. The Construction Emergency Action Plan and the Fire Prevention Plan shall be submitted to the East Contra Costa Fire Protection District for review and comment prior to submittal to the CPM for approval. | 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 Project Construction Safety and Health Program. Provide a copy of a letter to the CPM of any comments received from the East Contra Costa Fire Protection District on the Construction Fire Prevention Plan and Emergency Action Plan. | Construction Health & Safety Program w/Fire Department Comments on EAP/FPP | At least 30 days prior to start of construction | | | Completed | NA | EPC | |
| WORKER SAFETY | WORKER SAFETY-2 | CONS | Submit to the CPM the Project Operations and Maintenance Safety and Health Program containing the elements listed in this condition. The Operation Injury and Illness Prevention Plan, Emergency Action Plan, and Personal Protective Equipment Program shall be submitted to the CPM for review and comment concerning compliance of the programs with all applicable safety orders. The Fire Prevention Plan and the Emergency Action Plan shall also be submitted to the East Contra Costa Fire Protection District for review and comment. | At least 30 days prior to the start of first-fire or commissioning, submit to the CPM for approval a copy of the Project Operations and Maintenance Safety and Health Program. Provide a copy of a letter to the CPM of any comments received from the East Contra Costa Fire Protection District on the Operations Fire Prevention Plan and Emergency Action Plan. | Operation Health & Safety Program w/Fire Department Comments on EAP/FPP | At least 30 days prior to the start of first-fire or commissioning | TBD | | Not Started | NA | CCGS | |

| Technical Area | Cond. No. | Phase | Description | Verification/Action | Submittal | Submittal Date Required | Expected or Actual Submittal Date | CEC/CBO/ Delegate Agency Approval Date | Status | Amendment Date | Responsibility | Notes |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| WORKER SAFETY | WORKER SAFETY-3a | PC | Provide a site Construction Safety Supervisor (CSS) who is qualified as specified in this condition. The CSS shall perform the duties listed in this condition. | At least 30 days prior to the start of construction, submit to the CPM the name and contact information for the CSS. | CSS Name/Contact | At least 30 calendar days prior to start of construction | | CEC accepted on 8/10/12 | Completed | NA | EPC/CCGS | On 8/9/12, Greg Lamberg, CCGS, was designated CSS. |
| WORKER SAFETY | WORKER SAFETY-3b | CONS | CSS | The CSS shall submit in the Monthly Compliance Report (MCR) a monthly safety inspection report to include the elements listed in this condition. | MCR | Monthly | Ongoing | | In-progress | NA | EPC | |
| WORKER SAFETY | WORKER SAFETY-3c | CONS | CSS | The contact information of any replacement CSS shall be submitted to the CPM within one business day. | If needed | within one business day of replacement | As-needed | CEC accepted on 8/10/12 | As-needed | NA | EPC/CCGS | On 8/9/12, Greg Lamberg, CCGS, was designated CSS. |
| WORKER SAFETY | WORKER SAFETY-4 | PC | Make payments to the Chief Building Official (CBO) for the services of a Safety Monitor. Those services shall be in addition to other work performed by the CBO. The Safety Monitor shall be responsible for the duties listed in condition WORKER SAFETY-3. | Prior to the start of construction, provide proof of agreement to fund the Safety Monitor services to the CPM for review and approval. | Proof of Agreement w/CBO for Safety Monitor | Prior to construction | | | Completed | NA | CCGS | |
| WORKER SAFETY | WORKER SAFETY-5 | PC | A portable automatic external defibrillator (AED) shall be located on site during demolition, construction, and operations and a training program shall be implemented, as described in this condition. The training program shall be submitted to the CPM for review and approval. | At least 30 days prior to the start of construction, submit to the CPM proof that a portable AED exists on site and a copy of the training and maintenance program for review and approval. | Proof of AED and Training Program | At least 30 calendar days prior to start of construction | | | Completed | NA | EPC | |
| COMPLIANCE | COMPLIANCE-1 | CONS | Unrestricted Access. | The project owner shall grant Energy Commission staff and delegate agencies or consultants unrestricted access to the power plant site. | Access | As-Requested | As-Requested | | In-progress | NA | CCGS | |
| COMPLIANCE | COMPLIANCE-2 | CONS | Compliance Record. | The project owner shall maintain project files on-site. Energy Commission staff and delegate agencies shall be given unrestricted access to the files. | Access | As-Requested | As-Requested | | In-progress | NA | CCGS | |
| COMPLIANCE | COMPLIANCE-3 | CONS | Compliance Verification Submittals. | The project owner is responsible for the delivery and content of all verification submittals to the CPM, whether such condition was satisfied by work performed or the project owner or his agent. | Verification Submittals | Monthly/Annually/As Received | Ongoing | | In-progress | NA | CCGS | |
| COMPLIANCE | COMPLIANCE-4 | PC | Pre-construction Matrix and Tasks Prior to Start of Construction. | Construction shall not commence until the all of the following activities/submittals have been completed: property owners living within one mile of the project have been notified of a telephone number to contact for questions, complaints or concerns; a pre-construction matrix has been submitted identifying only those conditions that must be fulfilled before the start of construction; all pre-construction conditions have been complied with; the CPM has issued a letter to the project owner authorizing construction. | Pre-construction Matrix | Prior to commencement of construction | | CEC notice of Start of Construction issued on 7/26/11 | Completed | NA | CCGS | OGS Project site Hotline established. Compliance matrix in-place. |
| COMPLIANCE | COMPLIANCE-5 | CONS | 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. | Compliance Matrix | Monthly | Ongoing | | In-progress | NA | CCGS | |
| COMPLIANCE | COMPLIANCE-6 | CONS | Monthly Compliance Report (MCR) including a Key Events List. | During construction, the project owner shall submit a MCR which includes specific information. The first MCR is due the month following the Energy 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. | MCR | Monthly | Ongoing | | In-progress | NA | CCGS | |
| COMPLIANCE | COMPLIANCE-7 | OPS | Annual Compliance Reports. | After construction ends and throughout the life of the project, the project owner shall submit an Annual Compliance Report (ACR) instead of a MCR. | ACR | Annual following completion of construction | Ongoing | | Not Started | NA | CCGS | |
| COMPLIANCE | COMPLIANCE-8 | CONS | Confidential Information. | Any information the project owner deems confidential shall be submitted to the Energy Commission's Executive Director with a request for confidentiality. | Confidential Filings | As-needed | As-needed | | As-needed | NA | CCGS | |
| COMPLIANCE | COMPLIANCE-9a | PC | Annual fee. | Payment of Annual Energy Facility Compliance Fee. | Initial Annual Compliance Fee | Initial payment due on date of Business Meeting when CEC accepts final decision | Actual Submittal Date 6/20/2011 | CEC Receipt No. 32962 dated 6/22/11 | Completed | NA | CCGS | Initial and annual 2011 fee paid 6/20/11. |
| COMPLIANCE | COMPLIANCE-9b | CONS/ OPS | Annual fee. | Payment of Annual Energy Facility Compliance Fee. | Annual Compliance Fee | Due annually by July 1 | Ongoing | Bank of America cashed 6/25/12. | In-progress | NA | CCGS | Annual 2012 fee paid 6/6/12. |
| COMPLIANCE | COMPLIANCE-10 | CONS | 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. Within 10 days of receipt, the project owner shall report to the CPM, all notices, complaints, and citations. | Telephone Number for Nearby Property Owners to Call / Notice, Complaint, and Citation Reports | Prior to commencement of construction / Within 10 days of receipt | Ongoing | | In-progress | NA | CCGS | Residents within one mile of the power plant project site were notified. Residents along the T-line are required to be notified prior to the start of T-line construction. New site telephone no. 925.389.3048 established on 10/11/12. |
| COMPLIANCE | COMPLIANCE-11 | OPS | Planned Facility Closure. | The project owner shall submit a closure plan to the CPM at least 12 months prior to commencement of a planned closure. | Closure Plan | At least 12 months prior to commencement of planned closure | TBD | | Not Started | NA | CCGS | |
| COMPLIANCE | COMPLIANCE-12 | CONS | Unplanned Temporary Facility Closure. | To ensure that public health and safety and the environment are protected in the event of an unplanned temporary closure, the project owner shall submit an on-site contingency plan no less than 60 days prior to commencement of commercial operation. | On-site Contingency Plan | No less than 60 days prior to commencement of commercial operation | TBD | | Not Started | NA | CCGS | |

| Technical Area | Cond. No. | Phase | Description | Verification/Action | Submittal | Submittal Date Required | Expected or Actual Submittal Date | CEC/CBO/ Delegate Agency Approval Date | Status | Amendment Date | Responsibility | Notes |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| COMPLIANCE | COMPLIANCE-13 | CONS | Unplanned Permanent Facility Closure. | To ensure that public health and safety and the environment are protected in the event of an unplanned permanent closure, the project owner shall submit an on-site contingency plan no less than 60 days prior to commencement of commercial operation. In the event of an unplanned permanent closure, the project owner shall notify the CPM, as well as other responsible agencies, by telephone, fax, or e-mail within 24 hours and shall take all necessary steps to implement the 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. | On-site Contingency Plan / Closure Plan | No less than 60 days prior to commencement of commercial operation / Within 90 days of permanent closure / 24-hour notice | TBD | | Not Started | NA | CCGS | |
| COMPLIANCE | COMPLIANCE-14 | CONS | Post-Certification Changes to the Decision. | The project owner must petition the Energy Commission to delete or change a condition of certification, modify the project design or operational requirements and/or transfer ownership of operational control of the facility. | Post Certification Modifications | As-needed | As-needed | CEC approved on 10/25/11 | As-needed | NA | CCGS | Amendment No. 1 for additional laydown yard/parking area. |

**Oakley Generating Station Compliance Matrix Legend**

**Acronym and Abbreviation List**

| | |
|---|---|
| ACR | Annual Compliance Report |
| ANSI | American National Standards Institute |
| API | American Petroleum Institute |
| AQ | Air Quality |
| AQCMM | Air Quality Construction Mitigation Manager |
| AQCMP | Air Quality Construction Mitigation Plan |
| AQ-SC | Air Quality-Standard Construction |
| ASME | American Society of Mechanical Engineers |
| BAAQMD | Bay Area Air Quality Management District |
| BIO | Biological Resources |
| BMP | Best Management Practice |
| BRMIMP | Biological Resources Mitigation Implementation and Monitoring Plan |
| CalARP | California Accidental Release Program |
| Cal ISO | California Independent System Operator |
| Cal-OSHA | California Division of Occupational Safety and Health |
| CBO | Chief Building Officer (Contra Costa County) |
| CCCHSD-HCP | Contra Costa County Health Services Department – Hazardous Materials Program |
| CDFG | California Department of Fish & Game |
| CEC | California Energy Commission |
| CFR | Code of Federal Regulations |
| CHRIS | California State Historical Resources Commission |
| COMM | Commissioning |
| CONS | Construction |

| | |
|---|---|
| CPM | Compliance Project Manager |
| CPUC | California Public Utilities Commission |
| CRMMP | Cultural Resources Monitoring and Mitigation Plan |
| CRR | Cultural Resources Report |
| CRS | Cultural Resources Specialist |
| CUL | Cultural Resources |
| CV RWQCB | Central Valley Regional Water Quality Control Board |
| DESCP | Drainage, Erosion, and Sedimentation Control Plan |
| DOT | Department of Transportation |
| ECCFPD | East Contra Costa Fire Protection District |
| ELEC | Electrical |
| ERC's | emission reduction credits |
| FAA | Federal Aeronautics Administration |
| HAZ | Hazardous Materials |
| HVAC | Heating, Ventilation and Air Conditioning |
| HMBP | Hazardous Materials Business Plan |
| LORS | Law, Ordinances, Regulations and Standards |
| MCR | Monthly Compliance Report |
| ME | Mechanical Engineer |
| MECH | Mechanical |
| NPDES | National Pollutant Discharge Elimination System |
| NTSB | National Transportation Safety Board |
| OGS | Oakley Generating Station |
| OPS | Operations |
| PC | Pre-construction |

| | |
|---|---|
| PRMMP | Paleontological Resources Monitoring and Mitigation Plan |
| PRR | Paleontological Resources Report |
| RE | Resident Engineer |
| RMP | Risk Management Plan |
| RWQCB | Regional Water Quality Control Board |
| SOCIO | Socioeconomic Resources |
| S&W | Soil & Water |
| SPCCP | Spill Prevention, Control, and Countermeasure Plan |
| STRUC | Structural |
| SWCP | Storm Water Control Plan |
| SWPPP | Storm Water Pollution Prevention Plan |
| TBD | To be determined |
| USDOT | United States Department of Transportation |
| USEPA | Unites State Environmental Protection Agency |
| USFWS | United States Fish and Wildlife Service |
| WATCH | Work Area Traffic Control Handbook |
| WEAP | Worker Environmental Awareness Program |

**Legend**

| |
|---|
| Completed Items (gray) |

| |
|---|
| Active or Future Items (white) |