

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512



May 17, 2001

TO: AGENCY DISTRIBUTION LIST

**REQUEST FOR AGENCY PARTICIPATION IN THE REVIEW OF THE CALPEAK ESCONDIDO EMERGENCY PERMITTING PROPOSAL (01-EP-10)**

On May 8, 2001, CalPeak Power, LLC (CalPeak) filed an emergency permitting application for the CalPeak Power Enterprise #7 (Escondido) project. On May 16 and 17, 2001 revised information was submitted. The Energy Commission staff reviewed the application and determined it to be complete. This project is being reviewed under Public Resources Code section 25705, which grants the Energy Commission emergency permitting authority, and Executive Order D-26-01, issued February 8, 2001 and Executive Order D-28-01 issued on March 7, 2001. **In Executive Order D-26-01 and D-28-01, the Governor ordered the Energy Commission and other relevant state and local agencies to expedite review of proposed thermal power plants for construction and operation on an emergency basis by September 30, 2001.** Staff has begun an expedited 'fatal-flaw' analysis of the project. A public hearing will be held in Escondido on May 24, 2001 at the City Hall.

Staff expects the Energy Commission to make a final decision on this project within three weeks of the application being found to be complete. **The Commission requests that you send any comments, concerns, or proposed conditions of certification identified by your agency by May 25, 2001.** The application is available at <http://www.energy.ca.gov/sitingcases>, and is being sent with this letter. Comments should be sent to Robert Worl, the Energy Commission project manager for Enterprise #7 Escondido, by e-mail at [rworl@energy.state.ca.us](mailto:rworl@energy.state.ca.us). We request that comments be sent in Word 97 format.

The Escondido Enterprise # 7 project will consist of a 49.5 Megawatt gas-fired turbine generator equipped with state of the air pollution control and noise abatement features. The project will be at the 2.95 acre site westerly from the southern terminous of North Enterprise Road located in the City of Escondido, in San Diego County. Generated power will be linked to SDG&E via lines along the existing right of way adjacent to the site.

Approximately 1,200 feet of new electric transmission line, routed along the adjacent right of way will be needed to connect the facility to an existing San Diego Gas and Electric (SDG&E) substation.

Natural Gas will be provided via an SDG&E constructed gas connection to an existing main 1000 feet distant. The entire length of new gas line construction will be buried in the existing roadbed of North Enterprise.

Water will be provided by the city through a service system already on the site. Water will be used principally for periodic evaporative cooling and will be recycled for that purpose on site. All water used will be treated through a filtration system. No process water will be

discharged. Since the facility is to be operated unmanned, no other discharges are anticipated.

Storm water flows from the site would be directed to an existing storm system that drains Enterprise Road. Best management practices (BMP) will be implemented. Only limited and contained hazardous materials will be on site, reducing any risk of storm water contamination. Similarly, all oils kept on site for plant operations would be self-contained, and removed only by qualified personnel.

Aqueous ammonia (19.5% solution) will be the only significant hazardous material on site, stored in a 12,000 gallon single-wall tank, located in a concrete spill containment area. Ammonia detectors with automatic alarms will be installed.

Emissions of NO<sub>x</sub> from the plant will be controlled to 3 ppm through use of selective catalytic reduction (SCR) equipment.

A construction schedule of approximately four months is planned, and CalPeak plans commercial operation to begin by September 30, 2001.

### **ENERGY COMMISSION'S FACILITY EMERGENCY PERMITTING AUTHORITY**

This project is being considered outside of the Energy Commission's normal power plant permitting process. Under Public Resources Code section 25705, if the legislature or the Governor declares a state of energy emergency, the Commission has emergency authority to order the construction and use of generating facilities under terms and conditions it specifies to protect the public interest. This authority can be invoked only if the Legislature or Governor declares a state of emergency and the Commission determines that all reasonable conservation, allocation, and service restriction measures may not alleviate an energy supply emergency. The Governor declared a state of emergency on January 17, 2001. On February 8 and March 7, the Governor issued several executive orders and declared that all reasonable conservation, allocation, and service restriction measures may not alleviate an energy supply emergency.

In Executive Order D-26-01 and D-28-01, the Governor ordered the Energy Commission to expedite the processing of applications for peaking and renewable power plants that can be on line by September 30, 2001. The Governor also declared that these projects are emergency projects under Public Resources Code section 21080(b)(4), and are thereby exempt from the requirements of the California Environmental Quality Act (CEQA). A summary of the emergency permitting process, including the proposed schedule, and a checklist showing the information required in an application, can be found on the web at:

<http://www.energy.ca.gov/sitingcases/peakers/documents/index.html>. A copy of this summary is attached to this notice.

## **ENERGY COMMISSION'S FACILITY EMERGENCY PERMITTING PROCESS**

The first step in the emergency permitting process is for Energy Commission staff to determine whether or not the application contains all the information listed in the application checklist. Staff has determined that the application is complete. Staff has begun a 'fatal-flaw' analysis of the project to determine whether the project should be approved with proposed conditions of certification. The Energy Commission will hold a site visit and single public hearing in Escondido on May 24, 2001. This hearing will provide the public, as well as local, state and federal agencies, the opportunity to ask questions about, and provide input on, the proposed project. A notice for this hearing will be mailed, but anyone interested in attending is encouraged to check the project web site. The web site includes instructions for signing up for the project's email list-server.

## **AGENCY PARTICIPATION**

Because the application has been accepted as complete, your participation in the proceeding is important in identifying and suggesting ways to resolve issues of concern to your agency. There may be specific requests for agency review and comment during the proceeding, though Commission staff anticipates completing its assessment of the project within approximately two weeks of determining the application is complete. If you have questions or would like additional information on how to participate in the Energy Commission's review of the project, please contact Robert Worl, Siting Project Manager, at (916) 651-8853, or by e-mail at [rworl@energy.state.ca.us](mailto:rworl@energy.state.ca.us). The status of the project, copies of notices and other relevant documents are also available via the Energy Commission's Internet page at <http://www.energy.ca.gov/sitingcases>.

Sincerely,

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ROBERT L. THERKELSEN, Deputy Director  
Systems Assessment & Facilities Siting

Enclosure