# CALIFORNIA ENERGY COMMISSION
*REPORT OF CONVERSATION* *Page 1 of 2*

*Systems Assessment and Facilities Siting Division*

**FILE: (06-AFC-3)**

**PROJECT TITLE: South Bay Replacement Project**

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| ☒ **Telephone** | | ☐ **Meeting Location:** | |
| **NAME:** | Bill Pfanner | **DATE:** 8/9/06 | **TIME:** 2:00 |
| **WITH:** | Michael Stephens, Bill Pfanner<br>Bob Mason, Andy Trump, Kathy Wood, James White | | |
| **SUBJECT:** | Waste Management Data Adequacy Requirements | | |

DOCKET
06-AFC-3
DATE AUG 9 2006
RECD AUG 23 2006

**COMMENTS**: The South Bay applicant requested clarification from staff on what is required to make their applicant Data Adequate.

Energy Commission staff confirmed that the Phase I informally submitted (one copy only) is less than one year old and is valid for our Data Adequacy requirement. The applicant will file a formal submittal when they have completed the other Waste Management information required for Data Adequacy. Staff provided the applicant with the following information to clarify what is being asked for to complete the Waste Management Data Adequacy.

**DATA ADEQUACY ISSUE SUMMARY**

Phase I and Phase II environmental investigations were conducted at the South Bay Project Site in 1998. An additional Phase I investigation was conducted in October 2005. The investigations identified significant environmental issues including extensive soil and groundwater contamination, with a variety of pollutants. The text states that DTSC is currently the lead agency overseeing the investigation and remediation of the Site. Staff has contacted DTSC, and been informed that DTSC has no knowledge of the site. The Phase II identified 5 areas with recognized environmental conditions; areas where site mitigation measures may be required. However, the AFC states that any mitigation due to soil and groundwater contamination is the responsibility of SDG&E and not the applicant.

Data Adequacy AFC submittal requirements include:

- Appendix B (g)(1) "Provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, ***the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation."***

Stating that mitigation is the responsibility of a 3rd party consists of insufficient or non-responsive data for CEC staff to evaluate the effectiveness of mitigation measures for adverse environmental conditions that may exist at the site. To comply with data adequacy requirements, CEC staff requires that the applicant provide a work plan for addressing site investigation and remediation activities. This work plan should contain at a minimum:

- A compilation of all parties involved in current site investigation and remediation activities, including regulatory entities.
- A compilation of all site investigation and remediation activities that have been conducted historically; as well as any those are currently proposed and underway.
- A schedule for completion of environmental documentation and activities that will address soil and groundwater contamination mitigation issues at the site. CEC staff realizes that this could be subject to change.
- Agreements that have been reached or will be reached between responsible parties for investigation and remediation soil and groundwater mitigation.

Please note that addressing environmental mitigation issues related to soil and groundwater contamination can be a lengthy process. Initiating the process in a timely manner is important.

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| **cc:** | **Signed:** Bill Pfanner |
| | **Name:** |