

# Memorandum

**Date :** February 25, 2003  
**Telephone:** (916) 654-4206  
**ATSS**

**To :** James D. Boyd, Commissioner and Presiding Member  
Robert Pernel, Commissioner and Associate Member

**From :** California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

**BILL PFANNER**  
Energy Commission Project Manager

**Subject : MALBURG GENERATING STATION PROJECT  
RESPONSE TO EVIDENTIARY HEARING COMMENTS**

Attached please find staff's response to comments made at the Evidentiary Hearing for the Malburg Generating Station Project. This document supplements the September 26, 2002 Malburg Generating Station Project Staff Assessment (SA).

The enclosed Response to Evidentiary Hearing Comments addresses actions requested by the Commission and the Hearing Officer at the February 10, 2003 Evidentiary Hearing. The Hearing Officer kept open those sections of the Staff Assessment's public record that required responses to these last remaining issues. This includes the following:

## **Air Quality**

- Staff to make changes to tables 25 and 26.
- Provide a table showing the complete final offset package from SCAQMD.
- Reprint the Air Quality Conditions of Certification and all corrections made to the Air Quality Staff Assessment dated September 26, 2002.

## **Cultural Resources**

- Provide Commission with detail on reference (1995) included with condition CUL-8.

## **Soil and Water**

- Expand on Soil and Water condition SOIL & WATER 5 to clarify the consequences if the applicant uses potable water for more that 9 days per year.

## **Noise**

- Add a final condition that reflects notification of adjacent businesses or commercial operations (not just residences).

Staff concludes that the project poses little potential for significant environmental impacts. Those potentially significant environmental impacts that have been identified can be mitigated to less than significant levels. Staff's analysis also concludes that the project can comply with all LORS.

cc: Kerry Willis  
Susan Geffer  
POS, Agency (7165), Libraries (7166)

# AIR QUALITY

Supplemental Testimony of Joseph M. Loyer

This section supplements and where appropriate replaces the **Air Quality** section of the Staff Assessment. The Recommended Staff Conditions of Certification have been amended and are reprinted in total. Note that Conditions **AQ-C12, AQ-C13 and AQ-C14** have been added.

**Page 4.1-35** Under the heading, “**PROJECT OPERATING EMISSIONS,**”  
Add the following text:

The City has developed six operational scenarios that refine the expected emissions primarily differentiating between summer and winter seasons, as well as full and curtailed production. From these scenarios, the emission tables in the Staff Assessment are developed.

**Pages 4.1-35 and 36** Amend Tables 9,10, and 11

AIR QUALITY Table 9 (Amended) corrects the operational assumption of the firewater pump, which is only tested for one-half hour, not a full hour. Also, estimates of PM10 emissions for the cooling tower are increased slightly at the City’s request.

**AIR QUALITY Table 9 (Amended)**  
**Maximum Expected Hourly Emissions**  
**(lbs/hr)**

	Gas Turbines (2)	Cooling Tower	Firewater Pump	Facility Total	Assumptions
CO	48.6	0	0.59	49.19	a,c,d
NOx	26.2	0	1.73	27.93	a,c,d
PM10	7.78	0.26	0.08	8.12	b,c,d
VOC	3.3	0	0.05	3.35	a,c,d
SOx	0.3	0	0.002	0.30	b,c,d
Ammonia	7.6	0	0.00	7.60	b,c,d
<b>Assumptions</b>					
a The gas turbines are undergoing a cold startup @ 38 deg F.					
b The gas turbines are at full load @ 38 deg F with the duct burners on.					
c The cooling tower is at full load.					
d The firewater pump is being tested for ½ hour.					

AIR QUALITY Table 10 (Amended) reflects the operational scenarios submitted by the City: The MGS will be base loaded in almost all cases. Therefore, it is unlikely that the MGS will undergo a startup and shutdown within the same day. As a compromise, the City and staff accept the averaging of the startups, shutdowns and all monthly operational emissions for a month into the average daily emissions as reasonably representative of the MGS maximum expected daily emissions.

AIR QUALITY Table 11 (Amended) also reflects annual emissions for the City’s refined operational scenarios.

It should be noted that the emissions shown in AIR QUALITY Tables 10 and 11 Amended are different from the 30-day-average or annual emissions calculated by the District in the FDOC per their New Source Review Rules.

**AIR QUALITY Table 10 (Amended)**  
**Average Expected Daily Emissions (lbs/day)**

	Gas Turbines (2)	Cooling Tower	Firewater Pump	Facility Total	Assumptions
CO	104.00	0	0.59	104.59	a,d,e,
NOx	175.00	0	1.73	176.73	a,d,e,
PM10	158.00	6.20	0.08	164.28	a,d,e
VOC	36.00	0	0.05	36.05	a,d,e
SOx	6.00	0	0.002	6.00	a,d,e
Ammonia	182.4	0	0.00	182.40	a,d,e
<b>Assumptions</b>					
a The gas turbines are undergoing warm startup (1.5 hours) per month, 8 hours/day full load with duct firing, 16 hours/day full load without duct firing and 0.5 hours shutdown per month @ 65 deg F averaged for 29 days/month.					
b The gas turbines are at full load for 24 hours @ 38 deg F with the duct burners on					
c The gas turbines are undergoing cold startup (2 hours) and baseload operation for 22 hours @ 38 deg F.					
d The cooling tower is at full load for 24 hours					
e The Firewater pump is being tested 0.5 hours					

**AIR QUALITY Table 11 (Amended)**  
**Maximum Expected Annual Emissions (lbs/year)**

	Gas Turbines (2)	Cooling Tower	Firewater Pump	Facility Total		Assumptions
				Lbs/yr	Tons/yr	
CO	37,145	0	235	37,380	18.69	A,c,d
NOx	52,674	0	689	53,363	26.68	b,c,d
PM10	56,676	2,278	32	58,986	29.49	a,c,d
VOC	13,027	0	20	13,047	6.52	a,c,d
SOx	2,122	0	1	2,123	1.06	a,c,d
Ammonia	66,576	0	0	66,576	3.29	a,c,d
<b>Assumptions</b>						
a The gas turbines are undergoing one warm startup per month (1.5 hours), 8 hours/day of full load operation with the duct burner, 16 hours/day of full load operation without the duct burners and one shutdown per month (0.5 hours) @ 65 deg F.						
b The gas turbines are undergoing 4 cold starts (2 hours), 52 warm starts (1.5 hours) 1314 hours of full load operation with the duct burner, 5782 hours of full load operation without the duct burner and 56 shutdowns (0.5 hours) per year.						
c The cooling tower at full load for 8760 hours/year.						
d The Firewater pump is being tested 199 hours/year.						

**Page 4.1-53** Under the heading, "ADDITIONAL MITIGATION,"

Insert: the following text after the first sentence at the top of the page:

## **ADDITIONAL MITIGATION**

In addition to the emission reduction credits (ERCs) and Priority Reserve Credits (PRCs) that the City will surrender or purchase through the District to offset the MGS emission impacts, the District will contribute 2,628 pounds per year of SO2 emission reduction credits through their District Account. The District is obligated to provide this

additional mitigation due to the fact that the MGS SO<sub>2</sub> emissions do not trigger offset requirements in Rule 1304 (i.e., they total less than 4 tons per year), thus exempting the City from procuring offsets. Additionally, the District will retire these credits at a 1.2:1 ratio for both the 1304 Exemption and the PRCs. However, because the rules surrounding the qualifications for purchasing PRCs not only dictate access but also the amount of credits that can be purchased, the District has lowered the allocation of PM<sub>10</sub> PRCs from 186 lbs/day to 162 lbs/day for offsetting the MGS project PM<sub>10</sub> emission impacts.

Therefore, the City may include in their offsets for the MGS project emission impacts 7.0 lbs/day of SO<sub>2</sub> and 194.4 lbs/day of PM<sub>10</sub> (1.2x162). Also, because a portion of the CO emission reductions are PRCs (166.50 lbs/day), they also will be retired by the District at a 1.2:1 ratio for a total of 199.80 lbs/day. With this additional mitigation and the lower emission estimates, the project impacts determined pursuant to CEQA will be fully mitigated, as is shown in Amended AIR QUALITY Tables 25 and 26.

It should be noted that the emissions liabilities shown in AIR QUALITY Tables 25 and 26 Amended are as a result of the emissions calculated in AIR QUALITY Tables 10 and 11 and are thus not representative of the District calculation procedures in the District New Source Review rules. Thus, the emission liability presented in AIR QUALITY Tables 25 and 26 Amended has been calculated for the purposes of demonstrating mitigation efforts pursuant to Staff's application of CEQA and do not necessarily reflect the District NSR offset requirements. As such, AIR QUALITY Tables 25 and 26 Amended do not represent an excess or shortfall of NSR offsets, rather they represent as excess or shortfall of mitigation required for CEQA compliance purposes only and have no reflection at all of NSR requirements. It should be further noted that the offsets and mitigation shown in AIR QUALITY Table 25 Amended for CO, VOC and PM<sub>10</sub> are extrapolated values presented by Commission staff for the purposes of demonstrating CEQA compliance and are not representative of the District NSR Offsets requirements. It should be further noted that the any excess NO<sub>x</sub> RECLAIM Trading Credits (RTCs) can either be traded as per Regulation XX or permanently retired for a particular reporting period. Finally, it should be noted that the NO<sub>x</sub> RTC and SO<sub>x</sub> are extrapolated by Commission staff from an annual basis to daily limits in AIR QUALITY Table 26 and thus do not represent District NSR requirements.

**Page 4.1-53 Amend:** Table 25 as shown below:

**Remove:** The two paragraphs that follow Table 25

**AIR QUALITY Table 25 (Amended)  
Comparison of Expected Annual Emissions to Mitigation Provided  
for CEQA Compliance Purposes Only (lbs/year)**

	Liability <sup>1</sup>	Offsets <sup>2</sup>	District Mitigation <sup>2</sup>	Mitigation	
				Excess	Shortfall
CO	37,380	99,098	12,154	73,872	
NOx	53,363	71,215	0	17,852	
PM10	58,986	59,130	11,826	11,970	
VOC	13,047	47,450	0	34,403	
SOx	2,123	0	3,154	1,031	
1 See AIR QUALITY Table 11 Amended					
2 (SCAQMD 2002c)					

**Page 4.1-54 Amend** Table 26 as shown below:

**AIR QUALITY Table 26 (Amended)  
Comparison of Expected Daily Emissions to Mitigation Provided  
for CEQA Compliance Purposes Only (lbs/day)**

	Daily Liability <sup>1</sup>	Offsets <sup>2</sup>	District Mitigation <sup>2</sup>	Mitigation	
				Excess	Shortfall
CO	104.59	271.5	33.3	200.21	
NOx	176.73	195.1	0	18.38	
PM10	164.28	162.0	32.4	30.12	
VOC	36.05	130.0	0	93.95	
SOx	6.00	0	7.0	1.0	
1 See AIR QUALITY Table 10 Amended					
2 (SCAQMD 2002c)					

**Page 4.1-55** Under the heading “ENVIRONMENTAL JUSTICE IMPACTS,”  
replace the following text:

## **ENVIRONMENTAL JUSTICE IMPACTS**

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Since the MGS project emission impacts are fully mitigated, there are no residual emission impacts to cause an environmental justice impact. Therefore, staff finds that there is no potential for the MGS emissions to cause an environmental justice impact.

**Page 4.1-59** Under the heading “CONCLUSIONS AND RECOMMENDATION,”  
Replace: entire text with the following:

## **CONCLUSIONS AND RECOMMENDATION**

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The MGS’s emissions of NO<sub>x</sub>, SO<sub>2</sub> and CO will not cause a violation of any NO<sub>2</sub>, SO<sub>2</sub> or CO ambient air quality standards, and therefore, their impacts are not significant. The project’s air quality impacts from directly emitted PM<sub>10</sub> and of the ozone precursor emissions of NO<sub>x</sub> and VOC and PM<sub>10</sub> precursors of NO<sub>x</sub> and SO<sub>2</sub> could be significant if left unmitigated. MGS will reduce emissions to the extent feasible and provide emission offsets in the form of ERCs, PRCs and will be granted further offsets by the District from the District Account for the Rule 1304 Offset Exemptions of SO<sub>2</sub>. Thus these mitigation measures will reduce the potential for directly emitted PM<sub>10</sub>, as well as ozone and secondary PM<sub>10</sub> formation, to a level of insignificance.

The District has submitted a Final Determination of Compliance (SCAQMD 2002c) that concludes that the MGS will comply with all applicable District rules and regulations and therefore has proposed a set of conditions presented here as Conditions of Certification AQ-1 through AQ-36.

CEC staff recommends the inclusion of revised Conditions of Certification AQ-C1 through AQ-C12 that address the construction impacts and ensures that the City of Vernon complies with the operational assumptions made in this assessment.

Staff therefore recommends the certification of the MGS with the following proposed Conditions of Certification.

**Page 4.1-61** under the heading “CONDITIONS OF CERTIFICIATION,”  
remove: sections AQ-C1 through AQ-C11, and  
replace with the following Proposed Conditions of Certification.

## **PROPOSED CONDITIONS OF CERTIFICATION**

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These recommended Conditions of Certification have been amended in accordance with the District FDOC (SCAQMD 2002c) and the October 16, 2002 Workshop held in the City of Vernon.

**AQ-C1** The City of Vernon shall develop and submit to the CPM for approval an Air Quality Construction Mitigation Plan (AQCMP) using any or all of the elements listed below to maintain construction related NO<sub>x</sub>, PM<sub>10</sub> and CO emissions below the short-term ambient air quality standards and no more than 10 ug/m<sup>3</sup> difference between upwind and downwind monitoring for any of the three pollutants identified. The City shall identify the placement of upwind and downwind monitoring for NO<sub>x</sub>, PM<sub>10</sub> and CO in the AQCMP. In addition to or in place of the measures identified below, the City may develop alternative measures to be approved by the CPM in order to achieve the identified goals.

- 1) Redirect pedestrian traffic from the square block area described by the intersections of Leonis, 50<sup>th</sup>, Seville and Soto Avenues.
- 2) Restrict the use of multiple heavy construction equipment at the MGS project site.
- 3) Unless shown to be impractical, use a water emulsion diesel fuel in all diesel powered construction equipment to reduce both PM<sub>10</sub> and NO<sub>x</sub> emissions (equipment tanks must be emptied and refilled with this fuel prior to operation on-site). Otherwise, use ultra low sulfur diesel fuel (equipment tanks must be emptied and refilled with this fuel prior to operation on-site).
- 4) Use only 1996 CARB or EPA Certified or better diesel engines.
- 5) In the event that a 1996 CARB or EPA certified engine is not available, use in conjunction with ultra low sulfur diesel fuel, a catalyzed diesel particulate filters (CDPF) on all diesel engines over 100 bhp with the exemptions listed. All exempted equipment must use water emulsion diesel fuel if available on-site. If water emulsion diesel fuel is not available on-site, then all exempted equipment must use CARB certified ultra low sulfur diesel fuel. Exempted equipment are:
  - 1) Cranes,
  - 2) On-road licensed vehicles,
  - 3) and loaders, skiffs or backhoes that operate less than 2 hours at a time.
- 6) Identify the employee parking area(s) and surface composition of those parking area(s)
- 7) Watering of all disturbed areas twice daily.
- 8) Use sandbags to prevent run off.
- 9) Use wheel-washing areas prior to large trucks leaving the project site.
- 10) Describe methods that will be used to clean mud and dirt that has been tracked-out from the project site onto public roads.
- 11) For any transportation of solid bulk material
  - 1) Use vehicle covers
  - 2) Wet the transported material
  - 3) Use appropriate amount of freeboard
- 12) Identify methods for the stabilization of storage piles and disturbed areas.
- 13) Employ windbreaks at appropriate locations.

**Verification:** The City of Vernon shall submit the AQCMP for approval to the CPM no later than 45 days prior to site mobilization.

**AQ-C2** The City of Vernon shall identify the individual(s), for approval by the CPM, that will be on-site during all construction activities to ensure that all measures called for in the AQCMP are carried out.

**Verification:** The City of Vernon shall submit the name and contact information along with a resume of the individual(s) for approval to the CPM 10 days prior to site mobilization.

**AQ-C3** The City of Vernon shall submit to the CPM for approval a monthly compliance report signed by the individual(s) identified in **Condition of Certification AQ-C2**, that identifies all upwind-downwind monitoring results and mitigation measures implemented per the AQCMP. The City of Vernon shall submit for approval the format of this monthly report to the CPM.

**Verification:** The City of Vernon shall submit the format for the Monthly Compliance Report to the CPM no later than 10 days prior to site mobilization. The City of Vernon shall submit the Monthly Compliance Report for each month that construction activities occur for approval by the CPM no later than the 15<sup>th</sup> of the following month.

**AQ-C4** The City of Vernon shall submit to the CPM for approval prior to construction of the cooling tower, the cooling tower design details including following elements:

- 1) The cooling tower type,
- 2) materials of construction,
- 3) drift eliminator design and details (to be designed to a drift rate of 0.0005%),
- 4) vendor specific justification for the correction factor to be used to correlate blowdown total dissolved solid (TDS) to drift TDS in **Condition of Certification AQ-C7**, and
- 5) the circulating water recirculation rate.

**Verification:** The City of Vernon shall submit the information required above for approval to the CPM, no later than 45 days prior to commencement of construction of the cooling towers.

**AQ-C5** No chromium containing compounds shall be added to cooling tower circulating water.

**Verification:** The City of Vernon shall make the site available for inspection by representatives of the District, CARB and the Commission.

**AQ-C6** The City of Vernon shall determine the TDS levels in the blowdown water by independent laboratory testing prior to initial operation and periodically thereafter.

**Verification:** The City of Vernon shall submit for approval to the CPM, a protocol for initial and weekly testing and the identification of the independent laboratory to be used 90 days prior to cooling tower operation. The City of Vernon shall submit weekly TDS reports for the blowdown water as part of the quarterly emission report to the CPM for approval.

**AQ-C7** PM10 emissions from the cooling tower (in total) shall not exceed 6.2 lb/day.

**Protocol:** Compliance with the PM10 daily emission limit shall be demonstrated as follows:

$$\text{PM10 lb/day} = A * B * C * D$$

where:

A = circulating water recirculation rate (**Condition of Certification AQ-C4**)

B = total dissolved solids concentration in the blowdown water to be updated on a weekly basis (**Condition of Certification AQ-C6**)

C = design drift rate (**Condition of Certification AQ-C4**)

D = correction factor (**Condition of Certification AQ-C4**)

**Verification:** The City of Vernon shall calculate the daily PM10 emissions from the cooling tower and submit all calculations and results on a quarterly basis in the quarterly emission reports to the CPM for approval.

**AQ-C8** The City of Vernon shall refrain from testing the firewater pump on the same day as either gas fire combustion turbines have been started up or shutdown as defined by **Condition of Certification AQ-C9**.

**Verification:** The City of Vernon shall submit to the CPM for approval all testing times and results of the diesel fired emergency firewater pump in the quarterly emissions report.

**AQ-C9** The City of Vernon shall use the following definitions to determine compliance with startup, shutdown and any related emission or operational limitations. Startup is defined as beginning when fuel is first delivered to the combustors of the combustion turbine and ending when the combustion turbine reaches all NOx and CO emission limits for normal operation. Shutdown is defined as beginning during normal operation with the intent to shutdown and ends with the secession of fuel being delivered to the combustors of the combustion turbine.

**Verification:** See Verification for Condition of Certification AQ-6.

**AQ-C10** The City of Vernon shall commission and operate the Malburg Generation Station within the following emission limits.

**Commissioning**

During the first year of commissioning and operation, the following emission limits shall apply.

Annual Commissioning Emission Limits

Units are in Pounds per year

	Gas Turbines (2)	Cooling Tower	Firewater Pump	Facility Total	Assumptions
CO	112,743	0	478	113,221	a,b,c
NOx	229,531	0	1,377	230,908	a,b,c
PM10	48,873	2,190	58	51,121	a,b,c
ROG	40,518	0	35	40,553	a,b,c
SOx	4,294	0	2	4,296	a,b,c
Ammonia	49,514	0	0	49,514	a,b,c

**Assumptions**

- a The gas turbines are undergoing initial commissioning for three months (2,160 hours) then 3 cold startups, 39 warm startups, 42 shutdowns and 4,355 hours at full load with the duct burners on @ 65 deg F.
- b The cooling tower at full load for 8760 hours/year.
- c The Firewater pump is being tested 199 hours/year.

**Post Commissioning**

After the end of the commissioning period, the following hourly and daily emission limits shall apply. The following annual emission limits shall only apply until after the first calendar year of operation is complete.

**Hourly Emission Limits**

Units are in pounds per hour

	Gas Turbines (2)	Cooling Tower	Firewater Pump	Facility Total	Assumptions
CO	48.6	0	0.59	49.19	a,c,d
NOx	26.2	0	1.73	27.93	a,c,d
PM10	7.78	0.26	0.08	8.12	b,c,d
VOC	3.3	0	0.05	3.35	a,c,d
SOx	0.3	0	0.002	0.30	b,c,d
Ammonia	7.6	0	0.00	7.60	b,c,d

**Assumptions**

- a The gas turbines are undergoing a cold startup @ 38 deg F.
- b The gas turbines are at full load @ 38 deg F with the duct burners on.
- c The cooling tower is at full load.
- d The Firewater pump is being tested for ½ hour.

## Daily Emission Limits

Units are in pounds per day

	Gas Turbines (2)	Cooling Tower	Firewater Pump	Facility Total	Assumptions
CO	104.00	0	0.59	104.59	a,d,e,
NOx	175.00	0	1.73	176.73	a,d,e,
PM10	158.00	6.20	0.08	164.28	a,d,e
VOC	36.00	0	0.05	36.05	a,d,e
SOx	6.00	0	0.002	6.00	a,d,e
Ammonia	182.4	0	0.00	182.40	a,d,e
<b>Assumptions</b>					
a The gas turbines are undergoing 1 warm startup (1.5 hours) per month, 8 hours/day full load with duct firing, 16 hours/day full load without duct firing and 0.5 hours shutdown per month @ 65 deg F averaged for 29 days/month.					
b The gas turbines are at full load for 24 hours @ 38 deg F with the duct burners on					
c The gas turbines are undergoing cold startup (2 hours) and baseload operation for 22 hours @ 38 deg F.					
d The cooling tower is at full load for 24 hours/day					
e The Firewater pump is being tested 0.5 hours/day					

## Annual Emission Limits

Units are in pounds per year

	Gas Turbines (2)	Cooling Tower	Firewater Pump	Facility Total		Assumptions
				Lbs/yr	Tons/yr	
CO	37,145	0	235	37,380	18.69	A,c,d
NOx	52,674	0	689	53,363	26.68	b,c,d
PM10	56,676	2,278	32	58,986	29.49	a,c,d
VOC	13,027	0	20	13,047	6.52	a,c,d
SOx	2,122	0	1	2,123	1.06	a,c,d
Ammonia	66,576	0	0	66,576	3.29	a,c,d
<b>Assumptions</b>						
a the gas turbines are undergoing one warm startup per month (1.5 hours), 8 hours/day of full load operation with the duct burner, 16 hours/day of full load operation without the duct burners and one shutdown per month (0.5 hours) @ 65 deg F.						
b The gas turbines are undergoing 4 cold starts (2 hours), 52 warm starts (1.5 hours) 1314 hours of full load operation with the duct burner, 5782 hours of full load operation without the duct burner and 56 shutdowns (0.5 hours) per year.						
c The cooling tower at full load for 8760 hours/day.						
d The Firewater pump is being tested 199 hours/day.						

**Verification:** The City of Vernon shall submit to the CPM for approval on a quarterly basis all emission records and calculations to demonstrate compliance with the emission limits stated herein as part of the quarterly emissions report.

**AQ-C11** The City of Vernon shall submit a quarterly emissions report on a quarterly basis to the CPM for approval. The quarterly emissions report shall generally report all ammonia, NOx, SOx, CO, PM10 and VOC emissions from the Malburg Generation Station as necessary to demonstrate compliance with all emission limits. The fourth quarter emission report shall include an annual summary of all emissions of ammonia, NOx, SOx, CO, PM10 and VOC as necessary to demonstrate compliance with all annual emission limits.

**Verification:** The City of Vernon shall submit to the CPM the quarterly emissions report no less than 30 days after the end of each calendar quarter.

**AQ-C12** The project owner shall commit specific emission reduction credits certificates for the MGS to offset the project emissions provided as provided for in Table AQ-C12-1. The project owner shall not use any ERCs identified in Table AQ-C12-1 for purposes other than offsetting the MGS.

TABLE AQ-C12-1 – Emission Offset Requirements

Certificate Number	Amount (lbs/day)	Pollutant
AQ004457	8	CO
AQ004458	13	CO
AQ004466	13	CO
AQ004474	2	CO
AQ004475	4	CO
AQ004804	14	CO
AQ004840	60	CO
AQ004801	45	CO
AQ004798	2	CO
Additional ERCs Certificate numbers not available, but are purchased and total	144	CO
Total	305	CO
AQ004367	108	VOC
AQ004493	22	VOC
Total	130	VOC
AQ004763	3	PM10
Priority Reserve – Purchased by the City	160	PM10
Priority Reserve – provided by the District	32	PM10
Total	195	PM10
1304 Exempted Emissions – provided by the District	7	SO2

The project owner shall request from the District a report of the NSR Ledger Account for the MGS after the District has granting the MGS a Permit to Construct. This report is to specifically identify the ERCs, Priority Reserve Credits and Rule 1304 Exempted Emissions used to offset the project emissions. The project owner shall submit this report to the CPM prior to turbine first fire.

**Verification:** No more than 15 days following the issuance of the District's Permit to Construct, the project owner shall request from the District the report of the NSR Ledger Account for the ESPR. The project shall submit the report of the NSR Ledger Account for the ESPR to the CPM no less than 30 days prior to turbine first fire.

**AQ-C13** The City of Vernon shall submit to the CPM for review and approval any modification proposed by either the City or issuing agency to any project air permit.

**Verification:** The City of Vernon shall submit any proposed air permit modification to the CPM within five working days of its submittal either by 1) the City to an agency, or 2) receipt of proposed modifications from an agency. The City of Vernon shall submit all modified air permits to the CPM within 15 days of receipt.

**AQ-C14** The City of Vernon shall install an oxidation catalyst prior to initiating operation for commissioning.

**Verification:** The City of Vernon shall submit engineering drawing or other such material showing the intended location of installation of the oxidation catalyst 90 days prior to initial startup to the CPM and District for review and approval. The City of Vernon shall notify the CPM of the intended installation date at least 30 days prior to the date of installation. The City of Vernon shall notify the CPM of the date of completed installation no less than 10 days following the date of completed installation.

**Page 4.1-65** Under the heading "SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT RECOMMENDED CONDITIONS OF CERTIFICATION,"  
**Remove:** Conditions AQ-1 through AQ-36, and  
**Replace** with the following text:

## **South Coast Air Quality Management District Recommended Conditions of Certification**

**AQ-1** Except for open abrasive blasting operations, the City of Vernon shall not discharge into the atmosphere from any single source of emissions whatsoever any contaminant for a period or periods aggregating more than three minutes in any one hour which is:

- (a) As dark or darker in shade as that designated No. 1 on the Ringlemann Chart, as published by the United States Bureau of Mines; or
- (b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subparagraph (a) of this condition.

**Verification:** The City of Vernon shall make the Malburg Generating Facility site accessible for inspection to the District, CARB and Commission.

**AQ-2** The City of Vernon shall not use diesel oil containing sulfur compounds in excess of 15 ppm by weight as supplied by the supplier.

**Verification:** The City of Vernon shall submit fuel purchase records for approval to the CPM on a quarterly basis in the quarterly emissions report.

**AQ-3** The city of Vernon shall keep records, in a manner approved by the District, for the following parameter(s) or item(s):

Purchase records of fuel oil and sulfur content of the fuel

**Verification:** The City of Vernon shall submit fuel purchase records for approval to the CPM on a quarterly basis in the quarterly emissions report.

**AQ-4** Accident release prevention requirements of Section 112 (r)(7):

- a). The City of Vernon shall comply with the accidental release prevention requirements pursuant to 40CFR Part 68 and shall submit to the Executive Officer and the CPM, as a part of an annual compliance certification, a statement that certifies compliance with all of the requirements of 40 CFR Part 68, including the registration and admission of a risk management plan (RMP).
- b). The City of Vernon shall submit any additional relevant information requested by the Executive Officer, designated agency or CPM.

**Verification:** The City of Vernon shall submit for approval to the CPM the above required statement of compliance and any further information requested on an annual basis as part of the annual compliance report.

**AQ-5** The City of Vernon shall limit the emissions from both gas fired combustion turbine-heat recovery steam generator train exhaust stacks as follows:

Contaminant	Emissions Limit
CO	7,633 lbs in any one month
PM <sub>10</sub>	4,876 lbs in any one month
VOC	3,236 lbs in any one month
SOx	214 lbs in any one month

For the purpose of this condition, the limit(s) shall be based on the total combined emissions from the exhaust stacks.

The City of Vernon shall calculate the emission limit(s) for CO during commissioning period, using fuel consumption data and the following emission factors: 78.43 lb/mmscf

The City of Vernon shall calculate the emission limit(s) for CO after commissioning period and prior to the CO CEMS certification, using fuel consumption data and the following emission factors: 23.80 lbs/startup and 13.94 lb/mmscf

The City of Vernon shall calculate the emission limit(s) for CO after the CO CEMS certification, based on readings from the certified CEMS. In the event the CO CEMS is not operating or the emissions exceed the valid upper range

of the analyzer, the emissions shall be calculated in accordance with the approved CEMS plan.

The City of Vernon shall calculate the emission limit(s) by using the monthly fuel use data and the following emission factors:- PM10: 7.397 lb/mmscf, VOC: 1.63 lb/mmscf & SOx: 0.28lb/mmscf.

**Verification:** The City of Vernon shall submit all emission calculations, fuel use, CEM records and a summary demonstrating compliance of all emission limits stated in this Condition for approval to the CPM on a quarterly basis in the quarterly emissions report.

**AQ-6** The 2 ppm NOx emission limit shall not apply during turbine commissioning, start-up and shutdown. The commissioning period shall not exceed 573 operating hours per turbine from the initial start-up. Following commissioning, start-ups shall not exceed 2 hours and the number of start-ups shall not exceed one per day per turbine. Following commissioning, shutdowns shall not exceed 30 minutes and the number of shutdowns shall not exceed one per day per turbine. The City of Vernon shall provide the District and the CPM with the written notification of the initial start-up date. Written records of commissioning, start-ups and shutdowns shall be kept and made available to District and submitted to the CPM for approval.

**Verification:** The City of Vernon shall provide the District and the CPM with the written notification of the initial start-up date no later than 60 days prior to the startup date. The City of Vernon shall report to the CPM for approval all emissions, fuel use and emission calculations during the commissioning period on a monthly basis as part of the monthly compliance report. The City of Vernon shall submit to the CPM for approval, a record of all startups and shutdowns including duration and date of occurrence on a quarterly basis as part of the quarterly emission report.

**AQ-7** The 2 ppm CO emission limit shall not apply during turbine commissioning, start-up and shutdown. The commissioning period shall not exceed 573 operating hours per turbine from the initial start-up. Following commissioning, start-ups shall not exceed 2 hours and the number of start-ups shall not exceed one per day per turbine. Following commissioning, shutdowns shall not exceed 30 minutes and the number of shutdowns shall not exceed one per day per turbine. The City of Vernon shall provide the District and CPM with the written notification of the initial start-up date. Written records of commissioning, start-ups and shutdowns shall be kept and made available to District and reported for approval to the CPM.

**Verification:** See Verification for **Condition of Certification AQ-6.**

**AQ-8** The 80.13 lb/mmscf NOx emission limit(s) shall only apply during interim period to report RECLAIM emissions. The interim period shall not exceed 12 months from the initial start-up date.

**Verification:** The City of Vernon shall submit to the CPM for approval all emissions and emission calculations on a quarterly basis as part of the quarterly emissions report.

**AQ-9** The 2 PPM NOx emissions limit(s) are averaged over 1 hour at 15 percent oxygen, dry basis.

**Verification:** The City of Vernon shall submit to the CPM for approval all emissions and emission calculations on a quarterly basis as part of the quarterly emissions report.

**AQ-10** The 2 ppm CO emission limit(s) are averaged over 3 hours at 15 percent oxygen, dry basis.

**Verification:** The City of Vernon shall submit to the CPM for approval all emissions and emission calculations on a quarterly basis as part of the quarterly emissions report.

**AQ-11** The 2 ppm ROG emission limit(s) are averaged over 1 hour at 15 percent oxygen, dry basis.

**Verification:** The City of Vernon shall submit to the CPM for approval all emissions and emission calculations on a quarterly basis as part of the quarterly emissions report.

**AQ-12** The 5 ppm NH<sub>3</sub> emission limit(s) are averaged over 1 hour at 15 percent oxygen, dry basis. The City of Vernon shall calculate and continuously record the ammonia slip concentration using the following:

$$\text{NH}_3 \text{ (ppmv)} = [a - (b \cdot c / 1,000,000) \cdot (1,000,000 / b)]$$
 where  
a = ammonia injection rate (lbs/hr)/17 (lbs/lb-mole)  
b = dry exhaust gas flow rate (lbs/hr)/29 (lbs/lb-mole)  
c = change in measured NOx across the SCR (ppmv dry basis)

**Verification:** The City of Vernon shall submit to the CPM for approval all emissions and emission calculations on a quarterly basis as part of the quarterly emissions report.

**AQ-13** For the purpose of determining compliance with District Rule 475, combustion contaminant emissions may exceed the concentration limit or the mass emission limit listed, but not both emission limits at the same time.

**Verification:** The City of Vernon shall submit to the CPM for approval all emissions and emission calculations on a quarterly basis as part of the quarterly emissions report.

**AQ-14** The City of Vernon shall not use engine cylinder lubricating oil containing the following specified compounds:

Compound		Weight percent
Ash Content	Greater than	0.038

**Verification:** The City of Vernon shall submit fuel purchase records for approval to the CPM on a quarterly basis in the quarterly emissions report.

**AQ-15** The City of Vernon shall limit the operating time of the diesel fueled emergency backup generators and the firewater pump to no more than 199 hours each in any one year.

**Verification:** See Verification for **Condition of Certification AQ-C8**.

**AQ-16** The City of Vernon shall install and maintain a pressure relief valve set at 25 psig in the ammonia storage tank.

**Verification:** The City of Vernon shall make the ammonia storage tank available for inspection by the District, Commission or CARB.

**AQ-17** The City of Vernon shall install and maintain a(n) non-resettable elapsed time meter into the firewater pump to accurately indicate the elapsed operating time of the engine.

**Verification:** The City of Vernon shall make the firewater pump available for inspection by the District, Commission or CARB.

**AQ-18** The City of Vernon shall install and maintain a(n) non-resettable totalizing fuel meter to accurately indicate the fuel usage of the turbines.

**Verification:** The City of Vernon shall make the firewater pump available for inspection by the District, Commission or CARB.

**AQ-19** The City of Vernon shall install and maintain a(n) flow meter to accurately indicate the flow rate of the total hourly throughput of injected ammonia (NH<sub>3</sub>).

The City of Vernon shall also install and maintain a device to continuously record the parameter being measured.

The measuring device or gauge shall be accurate to within plus or minus 5 percent. It shall be calibrated once every 12 months.

**Verification:** The City of Vernon shall submit to CPM for approval the design drawing that clearly show the flow meter and recording device for the ammonia injection grid no less than 90 days prior to installation of the ammonia injection grid. The City of Vernon shall submit to the CPM for approval the annual calibration report for the flow meter and recording device as part of the annual compliance report.

**AQ-20** The City of Vernon shall install and maintain a(n) temperature gauge to accurately indicate the temperature in the exhaust at the inlet to the SCR reactor.

The City of Vernon shall also install and maintain a device to continuously record the parameter being measured.

The measuring device or gauge shall be accurate to within plus or minus 5 percent. It shall be calibrated once every 12 months.

**Verification:** The City of Vernon shall submit to CPM for approval the design drawing that clearly show the temperature gauge and recording device for the inlet to the SCR reactor no less than 90 days prior to installation of the SCR. The City of

Vernon shall submit to the CPM for approval the annual calibration report for the temperature gauge and recording device as part of the annual compliance report.

**AQ-21** The City of Vernon shall install and maintain a(n) pressure gauge to accurately indicate the differential pressure across the SCR catalyst bed in inches of water column.

The City of Vernon shall also install and maintain a device to continuously record the parameter being measured.

The measuring device or gauge shall be accurate to within plus or minus 5 percent. It shall be calibrated once every 12 months.

**Verification:** The City of Vernon shall submit to CPM for approval the design drawing that clearly show the pressure gauge and recording device across the SCR reactor no less than 90 days prior to installation of the SCR. The City of Vernon shall submit to the CPM for approval the annual calibration report for the pressure gauge and recording device as part of the annual compliance report.

**AQ-22** The City of Vernon shall conduct source test (s) for the pollutant(s) identified below:

Pollutant(s) to be tested	Required Test Method(s)	Averaging Time	Test Location
CO Emissions	District Method 100.1	1 hour	Outlet of SCR
NOx Emissions	District Method 100.1	1 hour	Outlet of SCR
PM Emissions	Approved District Method	District approved averaging time	Outlet of SCR
VOC Emissions	Approved District Method	1 hour	Outlet of SCR
SOx Emissions	Approved District Method	District approved averaging time	Fuel Sample
NH <sub>3</sub> Emissions	District Method 207.1 and 5.3 or EPA Method 17	1 hour	Outlet of SCR

The test (s) shall be conducted after approval of the source test protocol, but no later than 180 days after initial start up.

The test shall be conducted to determine the oxygen levels in the exhaust. In addition, the test shall measure the fuel flow rate (CFH), the flue gas flow rate, and the turbine and steam turbine generating output (MW).

The test shall be conducted in accordance with a District approved source test protocol. The protocol shall be submitted to the District engineer and the

CPM no later than 45 days before the proposed test date and shall be approved by the District and the CPM before the test commences. The test protocol shall include the proposed operating conditions of the turbines during the test the identity of the testing lab certifying that it meets the criteria of Rule 304, and a description of all sampling and analytical procedures.

The test shall be conducted with and without duct burner firing when this equipment is operating at loads of 100, 75, and 50 percent of maximum load for the NOx, CO, VOC and ammonia tests. For all other pollutants, the test shall be conducted with and without the duct burner firing at 100% load only.

The District and the CPM shall be notified of the date and time of the test at least 10 days prior to the test.

**Verification:** The City of Vernon shall submit for approval to the District and the CPM the required initial source testing protocol no less than 45 days prior to the date of the source test. The City of Vernon shall notify the District and CPM of the date and time of the source test no less than 10 days prior to the test. The City of Vernon shall submit to the District and CPM for approval the results of the initial source test no later than 60 days following the date of the source test.

**AQ-23** The City of Vernon shall conduct source test(s) for the pollutant(s) identified below:

Pollutant(s) to be tested	Required Test Method(s)	Averaging Time	Test Location
VOC Emissions	Approved District Method	1 hour	Outlet of SCR
SOx Emissions	Approved District Method	District approved averaging time	Fuel Sample
PM Emissions	Approved District Method	District approved averaging time	Outlet of SCR

The test shall be conducted at least once every three years.

The test shall be conducted and the results submitted to the District and the CPM within 60 days after the test date The District and the CPM shall be notified of the date and time of the test at least 10 days prior to the test.

The test shall be conducted to demonstrate compliance with the Rule 1303 concentration and/or monthly emissions limits.

The test shall be conducted 1) when the gas turbine and the duct burners are operating simultaneously at 100 percent of maximum heat input and 2) when the gas turbine is operating alone at 100 percent of maximum heat input.

**Verification:** The City of Vernon shall submit for approval to the District and the CPM the required source testing protocol no less than 45 days prior to the date of the source test. The City of Vernon shall notify the District and CPM of the date and time of the source test no less than 10 days prior to the test. The City of Vernon shall submit to

the District and CPM for approval the results of the source test no later than 60 days following the date of the source test.

**AQ-24** The City of Vernon shall conduct source test(s) for the pollutant(s) identified below:

Pollutant(s) to be tested	Required Test Method(s)	Averaging Time	Test Location
NH <sub>3</sub> Emissions	District Method 207.1 and 5.3 or EPA Method 17	1 hour	Outlet of SCR

The test shall be conducted and the results submitted to the District and the CPM within 60 days after the test date. The District and the CPM shall be notified of the date and time of the test at least 10 days prior to the test.

The test shall be conducted to demonstrate compliance with the Rule 1303 concentration limit.

The test shall be conducted at least quarterly during the first twelve months of operation and at least annually thereafter. The NO<sub>x</sub> concentration, as determined by the certified CEMS, shall be simultaneously recorded during the ammonia slip test. If the CEMS is inoperable or not yet certified, a test shall be conducted to determine the NO<sub>x</sub> emissions using District Method 100.1 measured over a 60-minute averaging period.

**Verification:** The City of Vernon shall submit for approval to the District and the CPM the required source testing protocol no less than 45 days prior to the date of the source test. The City of Vernon shall notify the District and CPM of the date and time of the source test no less than 10 days prior to the test. The City of Vernon shall submit to the District and CPM for approval the results of the source test no later than 60 days following the date of the source test.

**AQ-25** The City of Vernon shall install and maintain a CEMS in each exhaust stack of the combustion turbine-HRSG trains to measure the following parameters:

CO concentration in ppmv

Concentrations shall be corrected to 15 percent oxygen on a dry basis

The CEMS will convert the actual CO concentrations to mass emission rates (lb/hr) and record the hourly emission rates on a continuous basis.

The CEMS shall be installed and operated in accordance with an approved District Rule 218 CEMS plan application. The City of Vernon shall not install the CEMS prior to receiving initial approval from District.

The CEMS shall be installed and operated to measure CO concentration over a 15minute averaging time period.

The CEMS shall be installed and operating no later than 90 days after initial start-up of the turbine.

**Verification:** The City of Vernon shall make the Malburg Generation Station available for inspection by the District, Commission or CARB.

**AQ-26** The City of Vernon shall install and maintain a CEMS to measure the following parameters:

NOx concentration in ppmv

Concentration shall be corrected to 15 percent oxygen on a dry basis.

The CEMS shall be installed and operating no later than 12 months after the initial start-up of the turbine and shall comply with the requirements of Rule 2012. During the interim period between the initial start-up and the provisional certification date of the CEMS, the City of Vernon shall comply with the monitoring requirements of Rule 2012 (h)(2) and Rule 2012 (h)(3). Within two weeks of the turbine start-up date, the City of Vernon shall provide written notification to the District of the exact date of start-up.

**Verification:** The City of Vernon shall make the Malburg Generation Station available for inspection by the District, Commission or CARB.

**AQ-27** The City of Vernon shall limit the fuel usage of each turbine-duct burner pair to no more than 330 million cubic feet per month. The City of Vernon shall keep records, in a manner approved by the District, for the operational status of the duct burners and their fuel use.

**Verification:** The City of Vernon shall submit to the CPM for approval all emissions and emission calculations on a quarterly basis as part of the quarterly emissions report.

**AQ-28** The City of Vernon shall vent combustion turbines and HRSGs to the CO oxidation/SCR control system whenever the turbines are in operation.

**Verification:** The City of Vernon shall make the Malburg Generation Station available for inspection by the District, Commission or CARB.

**AQ-29** The City of Vernon shall vent ammonia storage tank, during filling, only to the vessel from which it is being filled.

**Verification:** The City of Vernon shall make the Malburg Generation Station available for inspection by the District, Commission or CARB.

**AQ-30** For the purpose of the following condition number(s), “continuously record” shall be defined as recording at least once every hour and shall be calculated upon the average of the continuous monitoring for that hour.

Condition of Certification AQ-17

Condition of Certification AQ-18

**Verification:** The City of Vernon shall make the Malburg Generation Station available for inspection by the District, Commission or CARB.

**AQ-31** For the purpose of the following condition number(s), “continuously record” shall be defined as recording at least once every hour and shall be calculated based upon the average of the continuous monitoring for that month.

Condition of Certification AQ-19

**Verification:** The City of Vernon shall make the Malburg Generation Station available for inspection by the District, Commission or CARB.

**AQ-32** The MGS electric generating equipment shall not be operated unless the City of Vernon demonstrates to the Executive Officer that the facility holds sufficient RTCs to offset the prorated annual emissions increase for the first compliance year of operation. In addition, this equipment shall not be operated unless the City of Vernon demonstrates to the Executive Officer that, at the commencement of each compliance year after the first compliance year of operation, the facility hold sufficient RTCs in an amount equal to the annual emission increase. The City of Vernon shall submit all such information to the CPM for approval.

**Verification:** The City of Vernon shall submit all identified evidence demonstrating compliance to the CPM on an annual basis as part of the annual compliance report.

**AQ-33** The City of Vernon shall provide to the District a source test report in accordance with the following specifications:

Source test results shall be submitted to the District no later than 60 days after the source test was conducted.

Emissions data shall be expressed in terms of concentration (ppmv), corrected to 15 percent oxygen, dry basis.

All exhaust flow rates shall be expressed in terms of dry standard cubic feet per minute (DCFM) and dry actual cubic feet per minute (DACFM).

All moisture concentration shall be expressed in terms of % corrected to 15% oxygen.

Emissions data shall be expressed in terms of mass rate (lb/hr), and lbs/mm cubic feet. In addition, solid PM emissions, if required to be tested, shall also be reported in terms of grains per DSCF.

Source test results shall also include turbine fuel flow rate under which the test was conducted.

Source test report shall also include the oxygen level in the exhaust, fuel flow rate (CFH), the flue gas temperature, and the turbine and generator output (MW) under which the test was conducted.

**Verification:** The City of Vernon shall submit to the CPM the required source test of Conditions of Certification AQ-21, -22 and -23 in compliance with this condition.

**AQ-34** The City of Vernon shall keep records, in a manner approved by the District, for the following parameter(s) or item(s):

For architectural applications where no thinners, reducers, or other VOC containing materials are added, maintain semi-annual records for all coatings consisting of (a) coating type, (b) VOC content as supplied in grams per liter (g/l) of materials for low-solids coatings, (c) VOC content as supplied in g/l of coating, less, water and exempt solvent, for other coatings.

For architectural applications where thinners, reducers, or other VOC containing materials are added, maintain daily records for each coating consisting of (a) coating type, (b) VOC content as applied in grams per liter (g/l) of materials for low-solids coatings, (c) VOC content as applied in g/l of coating, less, water and exempt solvent, for other coatings.

**Verification** The City of Vernon shall make these records available to the CPM upon request.

**AQ-35** The City of Vernon shall keep records, in a manner approved by the District, for the following parameters or items:

Date of operation, the elapsed time, in hour and the reason for operation of the emergency diesel powered generators and/or the firewater pump.

**Verification:** The City of Vernon shall submit these records to the CPM on an annual basis in the annual compliance report.

**AQ-36** The City of Vernon shall keep records, in a manner approved by the District, for the following parameters or items:

Natural gas fuel use during the commissioning period in the combustion turbines and HRSGs.

**Verification:** See verification of Condition of Certification AQ-6.

## **ADDITIONAL REFERENCES**

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South Coast Air Quality Management District (SCAQMD) 2002c. /Pang Mueller: FDOC received. Dated 12/13/02 and docketed 12/16/02.

California Energy Commission (CEC)/Bill Pfanner 2002a. Staff Assessment. Dated 9/26/02 and docketed 9/26/02.

## **CULTURAL RESOURCES**

### Supplemental Testimony of Dorothy Torres

Amend Condition CUL-8 on page 4.3-12 of the Staff Assessment as follows:

**CUL-8** The project owner shall ensure that Station A is maintained in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995) (36 CFR Part 68). The project owner shall provide a summary of maintenance activities completed within each calendar year.

**Verification:** In each annual compliance report, the project owner shall include the summary of Station A maintenance activities completed within the last calendar year.

# NOISE AND VIBRATION

## Supplemental Testimony of Ron Brown

Amend condition NOISE1 (page 4.6-11) and condition NOISE 5 (page 4.6-12) of the Staff Assessment as follows:

**NOISE-1** At least 15 days prior to the start of ground disturbance, the project owner shall notify all residents, business owners, and commercial operators within one mile of the site, by mail or other effective means, of the commencement of project construction. This notification must include residents of Vernon and Huntington Park. At the same time, the project owner shall establish a telephone number for use by the public to report any undesirable noise conditions associated with the construction and operation of the project. If the telephone is not staffed 24 hours per day, the project owner shall include an automatic answering feature, with date and time stamp recording, to answer calls when the phone is unattended. This telephone number shall be posted at the project site during construction in a manner visible to passersby. This telephone number shall be maintained until the project has been operational for at least one year.

**Verification:** The project owner shall transmit to the Energy Commission Compliance Project Manager (CPM) in the first Monthly Construction Report following the start of ground disturbance, a statement, signed by the project manager, attesting that the above notification has been performed, and describing the method of that notification. This statement shall also attest that the telephone number has been established and posted at the site.

**NOISE-** At least 15 days prior to the first steam blow, the project owner shall notify all residents, business owners, and commercial operators within one mile of the site, of the planned activity, and shall make the notification available to other area residents in an appropriate manner. The notification may be in the form of letters to the area residences, telephone calls, fliers or other effective means. The notification shall include a description of the purpose and nature of the steam or air blow(s), the proposed schedule, the expected sound levels, and the explanation that it is a one-time operation and not a part of normal plant operations.

**Verification:** Within 5 days of notifying these entities, the project owner shall send a letter to the CPM confirming that they have been notified of the planned steam or air blow activities, including a description of the method(s) of that notification.

## **SOIL AND WATER**

The Hearing Officer has asked staff to expand on Soil and Water condition SOIL & WATER 5 to clarify the consequences if the applicant uses potable water for more than 9 days per year.

Staff has not provided contingencies should the applicant use potable water for more than 9 days per year because this contingency is highly unlikely. However, in the event this should occur, the applicant would be required to follow the procedures contained in the "General Conditions" on page 7-1 of the Staff Assessment. This procedure would apply to any condition in the final decision that could not be fully complied with by the Project owners.