CALIFORNIA ENERGY COMMISSION
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SACRAMENTO, CA 95814-5512
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March 10, 2006

DOCKET
05-AFC-2
DATE MAR 10 2006
RECD MAR 10 2006

Mr. Tom McCabe
Regional Vice President, Environmental Health & Safety
Edison Mission Energy
18101 Von Karman Avenue, Suite 1700
Irvine, CA 92612-1046

Dear Mr. McCabe:

RE: WALNUT CREEK ENERGY PARK (WCEP) DATA REQUESTS (1-97)

Pursuant to Title 20, California Code of Regulations, Section 1716, the California Energy Commission staff seeks the information specified in the enclosed data requests. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts, 4) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 5) assess potential mitigation measures.

This set of data requests (#1-97) is being made in the areas of Air Quality, Alternatives, Cultural Resources, Socioeconomics, Soil and Water Resources, Traffic and Transportation, Visible Plume Modeling, Visual Resources, and Waste Management. Written responses to the enclosed data requests are due to the Energy Commission staff on or before April 10, 2006, or at such later date as may be mutually agreeable.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice to both the Committee and me within 10 days of receipt of this notice. The notification must contain the reasons for not providing the information, the need for additional time and the grounds for any objections (see Title 20, California Code of Regulations, section 1716 (f)).

If you have any questions, please call me at (916) 653-1850 or email me at eknight@energy.state.ca.us.

Sincerely,

Eric Knight
Project Manager

Enclosure

cc: Docket (05-AFC-2)
Proof of Service List

PROOF OF SERVICE (REVISED 2-23-06) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 3-10-06

Technical Area: Air Quality
Author: Gabriel D. Taylor

Air Quality Mitigation Measures

BACKGROUND: CARBON MONOXIDE RE-DESIGNATION

The applicant proposes to rely on the pending re-designation of the South Coast Air Quality Management District (District) as attainment of the national carbon monoxide (CO) standards to avoid having to provide CO offsets. If the re-designation does not occur within the time frame of the WCEP licensing proceeding, the applicant proposes to provide offsets by purchasing CO emission reduction credits (ERCs), or by participation in the District's Priority Reserve program.

DATA REQUEST

1. Please provide a status report of the CO re-designation at the District, California Air Resources Board (CARB) and the U.S. Environmental Protection Agency (USEPA), and the dates and a schedule of critical milestones (e.g., resolution to proceed with the request by the District Governing Board, the District re-designation request to CARB, the re-designation request from CARB to the USEPA, and a decision by the USEPA).

BACKGROUND: EMISSION REDUCTION CREDITS AND OFFSETS

Pending CO attainment re-designation, revision of the District's Priority Reserve program, and a petition for the project to enter the District's Sulfur Oxides (SOx) RECLAIM program, the District's Regulation XIII still requires that the project's emissions of CO, SOx, volatile organic compounds (VOCs) and particulate matter less than 10 microns in diameter (PM10) must be offset with ERCs or Priority Reserve Credits. The AFC does not provide documentation that any ERCs have been secured, either through option contracts or outright ownership, or that the project will be eligible for the Priority Reserve program. For staff to complete its analysis and to present testimony that the project is fully mitigated, evidence needs to be provided by the applicant that credits have been secured.

DATA REQUEST

2. Please identity ERCs owned by the applicant or any affiliate that the District might require to be surrendered as a condition for participation in the Priority Reserve. Please include the ERC number, the pollutant type and amount in pounds per day, and ERC source location and name.
3. Please provide option contracts and/or evidence of acquisition of ERCs for the CO, SOx, VOC and PM10 liability of the project.
4. If the applicant is unable to adequately respond to the Data Request above, please provide a status report starting May 1, 2006 and continuing monthly until the report identifies option contracts and/or evidence of acquisition of ERCs for the CO, SOx, VOC and PM10 liability of the project, or the start of the project Air

Quality Evidentiary Hearings. The report should be specific to each pollutant and provide new information and update information from previous monthly status reports as appropriate. The reports should include:

a. contact names and telephone numbers;

b. company or source names;

c. pollutant credit types and amounts in pounds per day (lbs/day);

d. ERC certificate numbers;

e. the methods of emission reductions (e.g., shutdown, reduction of hours of operation, emission controls, etc.);

f. the status of ERC or option negotiations;

g. prices or potential prices; and,

h. the location of the emission reduction credits.

BACKGROUND: PRIORITY RESERVE

A critical mitigation option is revision of the District's Priority Reserve program for PM10, and possibly SOx, VOC and CO credits. However, significant modifications and revisions (February 16, 2006) of the Priority Reserve rule (1309.1) are required to allow power plants to participate in the program and also to ensure funding (of credits) at levels to match the amounts the power plants may require. The rulemaking is underway, but the timing and the scope of the revisions are uncertain.

DATA REQUEST

5. Please provide a status report starting May 1, 2006 and continuing monthly until the rule is revised and adopted by the District Board and the District has approved the project's participation in the Priority Reserve under the revised rule, or until the start of the project Air Quality Evidentiary Hearings. The report should provide new information and update information from previous monthly status reports, and include:

   a. any additional rule changes and revisions needed to enable the applicant to qualify and participate in a revised Priority Reserve program, and that ensure sufficient quantities of credits are in the program;

   b. steps that the applicant will take to meet the proposed revised rule requirements, including

      i. all existing stationary sources under common ownership (applicant and any affiliate identified by the District) will meet Best Available Retrofit Control Technology (BARCT) and will comply with Section (c)(1) of Rule 1309.1.

      ii. that the applicant has satisfied the due diligence requirement of Section (c)(3) of Rule 1309.1;

      iii. that the applicant will satisfy the 1.2 to 1.0 offset ratio requirement of Section (c)(4) of Rule 1309.1;

iv. that the project will be fully and legally operating within 3 years of a District Permit to Operate or Commission Decision, pursuant to Section (c)(5) of Rule 1309.1; and

v. the status of negotiations for power sales contracts with the State of California pursuant to Section (d)(1) of Rule 1309.1.

BACKGROUND: FINE PARTICULATE MATTER (PM2.5)

The applicant has not provided any discussion about mitigation of the facility's PM2.5 impacts (generally 100 percent of natural gas combustion particulate matter is PM2.5) on the local and regional air quality. Because the District does not have a priority reserve program for PM2.5, staff is concerned that the current or revised Priority Reserve program will not be able to specifically provide PM2.5 equivalent credits, thereby making it difficult to conclude that the project's PM2.5 liability is mitigated.

DATA REQUEST

6. Please provide proposal(s) to mitigate the facility's potentially significant PM2.5 impacts.

7. Please discuss changes in the Priority Reserve necessary to ensure that PM2.5 emission reduction credits will be identifiable and available to mitigate project PM2.5 emissions.

BACKGROUND: SULFUR OXIDES (SOX) RECLAIM

The applicant proposes to rely on the District's RECLAIM program to acquire SOx emission reduction credits to mitigate the project's SOx emission impacts. The RECLAIM rule specifically excludes power plants from the SOx portion of the rule. However, power plants can petition to participate. The District indicated it is unlikely that they would be allowed to participate, as other power plants have tried (e.g., Inland Empire Energy Center Project (01-AFC-17)) and only during the power emergency of 2000/2001 did the AES Huntington Beach power plant succeed. If a petition to participate in SOx RECLAIM is not pursued by the applicant or it is denied by the District, the project's SOx emissions would have to be offset with ERCs or Priority Reserve Credits, pursuant to the offsetting requirements of the District's Regulation XIII.

DATA REQUEST

8. Please provide a status report, starting May 1, 2006 and continuing monthly until the start of the project Air Quality Evidentiary Hearings, regarding the petition or potential petition that the applicant has filed with the District to participate in the SOx RECLAIM program that includes:

   a. the petition itself and supporting documentation that the applicant filed with the District; and,

   b. a schedule for review and decision by the District of the application for participation in SOx RECLAIM.

9. Please provide a list of RECLAIM SOx trading credits that the applicant already owns or has under option contract.

BACKGROUND: OXIDES OF NITROGEN (NOX)

The applicant proposes to rely on the District's NOx RECLAIM program to acquire emission reduction credits to mitigate the project NOx emission impacts.

DATA REQUEST

10. Please provide a list of NOx RECLAIM trading credits (RTCs) that the applicant owns or has under option contract.
11. Recent revisions to NOx RECLAIM will reduce NOx RECLAIM trading credits by about 15 percent and probably increase prices from existing levels. Please discuss how the changes to the NOx RECLAIM market would affect the ability of the applicant to purchase sufficient quantities of NOx RECLAIM trading credits.

BACKGROUND: LOCAL MITIGATION OPPORTUNITIES

The proposed WCEP is located in the middle of numerous industrial and light industrial businesses. Some of these businesses may engage in activities that emit criteria pollutants, activities that could be controlled to generate mitigation for use by the WCEP. The AFC, however, did not contain any discussion of local mitigation opportunities.

DATA REQUEST

12. Please investigate and report on the potential for local emission reductions and mitigation measures.

Air Quality Emissions, Impacts, and Modeling

BACKGROUND: HOURS OF OPERATION

The AFC uses different hours of operation assumptions in various sections, as discussed in Section 8.1.2.1 (page 8.1-41). Staff needs consistent information on the hours of operation to both calculate the expected maximum emissions from the facility and to eventually set appropriate permit emission limits. Because these values will serve as input assumptions for numerous calculations, staff needs clarification as to the applicant's desired hours of operation of the project.

DATA REQUEST

13. Please clarify the maximum number of hours per year the applicant proposes to operate the facility (including startup and shutdown).
14. Please clarify the maximum number of hours per day the proposed facility would operate.

15. Because this project is projected to operate significantly less than the maximum potential hours on an annual basis (8760 hours), please clarify if the applicant expects any permit limits on the number of hours the facility may operate during any period (daily, monthly, or annually).
16. Please clarify if the applicant expects permit limits on the number of startup events during any period (daily, monthly, or annually).

BACKGROUND: MANUFACTURER EMISSION ESTIMATES

This project is one of the first in the country to use the new General Electric (GE) LMS100 combustion turbine generators. Staff needs more detailed specification documentation on this new turbine model to complete the air quality analysis.

Sections 8.1.2.2 and 8.1.5.2.3 of the AFC indicate that the project consists of five GE LMS100 gas turbine units equipped with water injection and selective catalytic reduction (SCR) systems to minimize NOx emissions. In addition, a CO oxidation catalyst system would also be utilized to minimize the turbines' VOC and CO emissions.

Appendix 8.1A provides tables summarizing the estimated emissions of the turbines, cooling towers, and fire pump engines. It is not clear how these estimated emissions were derived. For example, the GE-provided emissions estimates indicate that an LMS100 turbine without SCR in operation would emit 25 parts per million (ppm) NOx at 15% oxygen, which is equivalent to 81 pounds per hour (lbs/hr). The startup duration for each turbine is approximately 35 minutes (AFC Section 8.1.2.2) during which time the SCR is not expected to be fully operational; therefore, based on those inputs, the turbine startup emissions will be higher than the 7 lbs/startup identified (AFC Appendix 8.1A).

DATA REQUEST

17. Table 8.1A-2a (Appendix 8.1A) lists the assumption that the startup duration is 35 minutes per event, and that the shutdown duration is 11 minutes per event. Manufacturer documentation for the LMS100 turbine indicates the potential for startup times as short as 10 minutes. Please explain why a shorter startup duration is not used in the calculations, per manufacturer documentation.
18. Please provide assumptions and calculations used to derive the turbine startup emissions for NOx, CO and VOC of 7, 15.4 and 2.1 lbs/event, respectively.
19. Please provide assumptions and calculations used to derive the turbine shutdown emissions for NOx, CO and VOC of 4.3, 18.2 and 1.6 lbs/event, respectively.

BACKGROUND: VENDOR GUARANTEE

Appendix 8.1A contains manufacturer's guarantees for particulate matter (PM) and VOC, which include a requirement that the turbine must be operated at a base-load level for at least 300 hours for the PM and VOC guarantees to be in effect and prior to source testing.

DATA REQUEST

20. Please provide the steps that the applicant will take to ensure continuous operation at base-load to meet the 300 hours operational requirement.
21. If the operational requirement cannot be reasonably met, please provide a discussion and analysis to show whether the facility can meet the turbines' PM and VOC emissions limits identified in the AFC. If these PM and VOC emissions levels cannot be met, please provide new estimates for the turbine PM and VOC emissions, impacts and offsets.

BACKGROUND: MAXIMUM FUEL SULFUR CONTENT

The applicant assumed maximum fuel sulfur content of 0.25 gr/100scf (grains per 100 standard cubic feet) for all emissions calculations. It is staff's experience that facilities permitted with such a low assumed fuel sulfur content frequently have to amend their permit to increase SOx emissions limits after going online. In order to avoid such an amendment process, staff needs more detail on the rationale for the selected sulfur content of the fuel.

DATA REQUEST

22. Please provide documentation from the proposed natural gas supplier of the guaranteed fuel sulfur content level.
23. Please provide the most recently available six months of daily gas sulfur content values from the proposed natural gas supplier, collected at the nearest available source to the proposed facility gas tie-in. If daily values are not available, please provide either weekly or monthly sulfur content values, whichever is available, with an explanation as to why daily measurements are not available.
24. Please provide the steps the applicant will take to ensure that natural gas that has higher than 0.25 gr/100scf of sulfur will not be used at the facility.
25. Please provide the method the applicant will use to ensure continuous compliance with the sulfur content limits specified for the supplied natural gas fuel.

BACKGROUND: EMERGENCY DIESEL ENGINE FUEL

Appendix 8.1A, Table 8.1A-6 lists the expected emissions of the fire pump engines using low sulfur diesel fuel (500 ppm). The project will have to meet the Best Available Control Technology (BACT) requirement of the District.

DATA REQUEST

26. Please discuss the feasibility of using ultra-low sulfur diesel, which contains no more than 15 ppm sulfur, as fuel for the fire pump engines.
27. Given the scenario of using ultra-low sulfur diesel in the fire pump engine, please revise project emissions and, if appropriate, air dispersion modeling.

BACKGROUND: MODELING DOCUMENTATION

Section 8.1.2.3 discusses the method used for selecting an appropriate air quality model to analyze the project impacts and includes tables listing the modeling results. Appendix 8.1B provides some modeling support data as well as modeling input and output files in electronic format. Missing from the AFC is a text file (typically a readme format file) describing the modeling input and output files. Without this information, staff is unable to verify the modeling results submitted in Section 8.1.2.3.

DATA REQUEST

28. Please provide a text file describing the input and output modeling files.

BACKGROUND: CUMULATIVE IMPACT ANALYSIS

Section 8.1.3 states that a cumulative air quality impact analysis was conducted in accordance with the protocol included in Appendix 8.1H. Staff cannot find the cumulative air quality impact analysis in the AFC.

DATA REQUEST

29. Please clarify whether an air quality cumulative impact analysis has been performed. If it has, please provide the modeling assumptions, model input and output files, and modeling results.
30. If a cumulative impact analysis has not been performed, please discuss the status of efforts to obtain a list of projects near the WCEP project site that meet the criteria listed in Section 8.1H, Cumulative Impacts Analysis Protocol. If the aforementioned list has been obtained, please submit the list of the emission sources to be included in the cumulative air quality impacts analysis. Upon staff's review of and concurrence with the sources identified, please perform a cumulative impact analysis according to the modeling protocol in the AFC.

BACKGROUND: CALCULATION QUESTIONS

The AFC appears to have some minor errors and omissions. Staff needs clarification of these points to complete our analysis.

DATA REQUEST

31. The table of contents for Appendix 8.1B (p. 8.1B-1) lists Appendix 8.1B-12 (Commissioning Impacts Summary), but that appendix is missing from the AFC. Please provide a copy of Appendix 8.1B-12.
32. Table 8.1-29 (p. 8.1-45) lists most emissions values for the new equipment. The value for "Total project, pounds per day" has a footnote "c" reading "Based on 3,468 hours of operation, including 350 startups and 350 shutdowns." It appears that footnote "b" should be the reference here instead. Please clarify this footnote reference.
33. On page 8.1-41 the applicant states that the short-term emissions profile is "20 hours of base load with 4 hours in startup/shutdown…." This is at odds with the

assumption in the footnote of Table 8.1-29 (p. 8.1-45) of "22 hours of base operation and 1.5 hours of startup/shutdown" and Table 8.1A-2a (Appendix 8.1A). Please clarify the short-term emissions profile assumption.

34. The maximum daily emissions calculations in Table 8.1A-2a (Appendix 8.1A) are all based on 22 hours of base load plus two startups and two shutdowns. Given the startup and shutdown duration assumptions in the same table, this would result in 28 minutes of missing base load operation in each daily maximum calculation (22 hours plus 70 minutes for startups plus 22 minutes for shutdowns equals 23 hours and 32 minutes). Please discuss the possibility of revising all maximum short-term emissions estimates to include some level of operation (be it startup, shutdown or steady state) during these missing 28 minutes.

35. Table 8.1-29 (p. 8.1-45) and Table 8.1A-2a (Appendix 8.1A) list the value for "Total project, pounds per day" for the pollutant CO as 1,645.2 lbs/day. Staff calculations indicate this figure should be 2,338.18 lbs/day (based on five turbines, 22 hours per day base load plus two startups and two shutdowns for each turbine). Staff's pounds per day calculations for the other four pollutants (NOx, SOx, VOC, and PM10/2.5) agree exactly with the values in these tables. Please provide a clear step-by-step calculation for the CO pounds per day value, including references for all input values and a discussion of all assumptions.

36. Table 8.1-29 (p. 8.1-45) and Table 8.1A-2a (Appendix 8.1A) list the value for "Maximum Annual Emission, tons" for the pollutant CO as 124.6 tons per year (tpy). Staff's calculations indicate this figure should be 175.00 tpy (based on 5 turbines, 3200 hours base load plus 350 startups and 350 shutdowns for each turbine). Staff's pounds per day calculations for the other four pollutants (NOx, SOx, VOC, and PM10/2.5) agree exactly with the values in these AFC tables. Please provide a clear step-by-step calculation for the CO tons per year value, including references for all input values and a discussion of all assumptions.

37. Table 8.1A-2a (Appendix 8.1A) lists annual PM10 emissions from the cooling towers as 0.87 tons. Staff's calculations indicate this figure should be 0.770 tons (based on 0.444 lb/hr multiplied by 3468 hrs/year). Please clarify this calculation. If the annual value of 0.87 tons in Table 8.1A-2a is in fact incorrect, please provide a clear list of corrected values in all tables affected by this change.

38. Table 8.1A-2b, 8.1A-8, and 8.1A-9 (all in Appendix 8.1A) reference an Emergency Generator that does not appear in any other section of the analysis. Please clarify whether this piece of equipment is part of the project description.

39. Table 8.1E-4 (Appendix 8.1E) has two minor discrepancies. First, the table lists the total annual nitrogen dioxide (NO_2) impact as 69.5 micrograms per cubic meter ($\mu g/m^3$), whereas it appears that it should be 69.3 based on the listed modeled impact and background. Second, the table lists the sulfur dioxide (SO_2) 24-hour background value as 25.4 $\mu g/m^3$, which disagrees with the value of 23.5 listed in Table 8.1-38, based on Table 8.1-37. Please clarify and correct both of these values.

BACKGROUND: COMMISSIONING PERIOD

AFC Table 8.1A-10 and Section 8.1.2.4.4 describe the analysis used to estimate the facility emissions during commissioning. The maximum facility emissions are estimated as 175 lbs/hr for NOx and 255 lbs/hr for CO (AFC pp. 8.1-62 and Table 8.1A-10). Staff requires additional information in support of the estimated commissioning emissions.

DATA REQUEST

40. Please provide a detailed discussion of the turbine commissioning estimates presented in AFC Table 8.1A-10. Please include citations of specific vendor documents and/or other sources for all input assumptions.

BACKGROUND: STARTUPS

The AFC Table 8.1-31 lists the expected facility emission impacts for NOx, SO_2, CO, PM10 and PM2.5 for base load operation, fumigation and startup events. These impacts resulted from the regulatory approved ISCST3 model, the meteorological data and estimated facility emissions provided in the AFC and in Appendix 8.1A. The facility NOx emission impact during startup was estimated to be 75.8 $\mu g/m^3$, however, no explanations of the facility startup emissions and impacts were provided.

DATA REQUEST

41. Please provide an explanation of how the turbine's emissions and exhaust conditions (i.e., flow rate and temperature) were estimated for inputs into the modeling analysis.
42. If the startup emissions rates and characteristics are revised, please provide a revised modeling analysis showing the facility impacts during startups.

Technical Area: Alternatives
Author: Eric Knight

BACKGROUND

The Alternatives section of the AFC evaluates two alternatives to the proposed project site. The AFC concludes that these sites are not preferable to the proposed WCEP site. Page 9-6 states that "sites west of the proposed project site were also considered." The AFC does not discuss these other sites except to mention that property in a nearby oil field met several of the project development criteria but was ultimately dropped from consideration because the property owner has development plans for the site that would be incompatible with a power plant. Evaluation of potential alternative sites for the PSA/FSA would be most efficient if based on a complete understanding of the sites considered by the applicant in its selection process.

DATA REQUEST

43. Please provide a description of the alternative sites that were considered in the planning and screening phase of AFC preparation, but were eliminated from consideration and not presented in the AFC.
44. Describe the rationale for the elimination of each alternative site.
45. Please also include the locations and distances for access to electrical transmission, natural gas, and water supply for each alternative site.

BACKGROUND

Section 9.3 of the AFC provides the selection criteria the applicant used to evaluate potential alternative sites for the project. One criterion is "a parcel or adjoining parcels of sufficient size for a power plant and construction laydown areas." The minimum acreage needed is not given.

DATA REQUEST

46. Please provide the minimum acreage necessary to accommodate the power plant footprint and construction laydown area.

Technical Area: Cultural Resources
Author: Dorothy Torres

Any information that identifies the location of archaeological sites needs to be submitted under confidential cover.

BACKGROUND

Section 8.3.2.1 of the AFC uses the term "area of potential effects". This area is depicted on Figure 8.3-1. Given the scale of the figure (one inch equals 2000 feet), it is difficult to determine how far the survey of the "area of potential effects" extended from the boundaries of the proposed power plant site and the centers of the transmission line corridors.

DATA REQUEST

47. Please specify the distance the survey extended (in feet or meters) from the project site boundaries and from the centerlines of the transmission lines.

BACKGROUND

Section 8.3.1.5.3 asserts that there are no buildings or structures older than 45 years near the project site. Staff visited the site and observed several structures adjacent or very close to the project site that appear to be more than 45 years old.

DATA REQUEST

48. The AFC states that the SCE transmission line corridors were surveyed, but the age of the transmission lines was not provided. Please provide the age of the transmission lines located immediately north and southwest of the project site.
49. Please provide the age of the San Jose Creek Flood Control Channel located beyond the SCE transmission lines immediately north of the site.
50. The AFC identified the Union Pacific Railroad track located immediately south of the project site as a resource listed on the California Historic Resources Inventory Site 19-186112.
    a. Please provide the age of the portion of railroad adjacent to the project site.
    b. Please discuss whether this particular portion of the railroad is recorded.
    c. Please provide a copy of the record for Inventory Site 19-186112.
51. The Walnut Substation appears in black on Figure 1, Photorevised1953 (Appendix 8.14A), indicating that it may be more than 45 years old. Since the project's transmission line will connect to the Walnut Substation, please complete a Department of Parks and Recreation (DPR) 523 form, including the evaluation portion, and provide a copy. The evaluation of the Walnut Substation needs to be completed by or under the direction of someone who meets the Secretary of the Interior Standards for architectural history.

BACKGROUND

The applicant's findings indicate (in AFC Section 8.3.2.2, Construction Impacts) that there will be no impacts to significant cultural resources. Staff needs to provide an independent assessment of the same cultural resources information reviewed by the applicant's consultant and reach an independent conclusion. Under the California Environmental Quality Act (CEQA), the lead agency is charged with determining the significance of cultural resources.

DATA REQUEST

52. Please provide copies of all the information obtained from the South Central California Information Center of the California Historical Resources Information System (CHRIS) including the previous survey reports identified in AFC Table 8.3-1 and any DPR forms. Since the CHRIS annotates a map showing the location of cultural resources indicated in color, please provide a color copy of the map indicating the location of cultural resources. Since it is likely that the location of archaeological sites will be revealed in this information, please provide the information under confidential cover. Note that 3 copies of this confidential material will be sufficient.

BACKGROUND

AFC Volume 2, Appendix 8.3A included responses from Native Americans who may have heritage concerns in the area of the project. When the Native American Heritage Commission (NAHC) provides a list of Native Americans who wish to be contacted regarding construction disturbances on land where they have heritage concerns, the NAHC requests that the project proponent make a minimum of two follow up telephone calls to Native Americans who have not responded.

DATA REQUEST

53. Please provide copies of any additional written responses from Native Americans. If responses are received by telephone, please provide a summary of each conversation. If the location of archaeological sites may be revealed in the information, please provide it under confidential cover.
54. In keeping with guidance from the NAHC, please conduct a minimum of two telephone calls to Native American groups or individuals who were identified on the list provided by the NAHC. Provide a summary of conversations that includes whether the information sent by the applicant has been received and whether there are any concerns regarding cultural resources in the vicinity of the project.

BACKGROUND

According to CEQA Guidelines Section 15064.5(a)(2), cultural resources included in a local register of historical resources must be treated as significant by public agencies unless a preponderance of evidence demonstrates that a resource is not significant.

DATA REQUEST

55. Please review local registers maintained by the City of Industry and the County of Los Angeles and provide a list of any cultural resources (prehistoric or historic archaeological or historic built environment) listed by the City and County within the ½-mile study area.

BACKGROUND

AFC Section 8.3.2.1 (Significance Criteria) specifies historical societies as one of the sources of information used to identify the cultural resources that might be impacted by the project. Information from local archaeological and historical societies is essential to the process of identifying all the cultural resources. There was no discussion of contacts with historical societies in the AFC.

DATA REQUEST

56. Please provide a discussion of the local historical and archaeological organizations that were contacted. Include information regarding responses that were received and historical or archaeological resources that were identified.

BACKGROUND

To aid staff in determining whether there will be any impacts to previously identified cultural resources (historic built environment [buildings, structures, objects, districts], prehistoric or historic archaeological sites or areas of heritage concern) and to determine the sensitivity of the area for discovery of archaeological sites, a map that identifies the location of cultural resources in relation to the project site and project linear facilities is necessary. Any information that identifies the location of archaeological sites must be submitted under confidential cover.

DATA REQUEST

57. Please provide a revised version of Figure 8.3-1 that identifies the location of the following:
    a. The location of any cultural resources that were identified from information provided by Native Americans;
    b. Any cultural resources identified within the ½-mile study area during the following activities: the literature search, contacts with local archaeological and historical societies, and review of the City and County registers.

BACKGROUND

AFC Section 8.3.3 (Cumulative Impacts) does not consider the impact of past, present or reasonably foreseeable, probable future projects. AFC Volume 2, Appendix 8.6A provided a list of projects filed within the City of Industry, City of La Puente, and Hacienda Heights in the past 18 months. Additional information regarding proposed projects is necessary to assist staff in determining whether any of these projects might contribute to a cumulative impact.

DATA REQUEST

58. Please provide a list and description of development projects that have been proposed or are under construction that will be located within a ½ -mile radius of the proposed WCEP. The descriptions should include information regarding whether a development is proposed or under construction, whether it will cause ground disturbance, and the dimensions of the proposed project.

59. Please provide a map at 1:24,000 scale that shows the WCEP site and linear facilities in relation to all the proposed development projects within ½ mile of the WCEP project.

BACKGROUND

Appendix 8.14A, Phase I Environmental Site Assessment, states that the property and surrounding area was agricultural land as recently as 1952. Figure 1 is a 7.5 Minute Series Topographic Quadrangle, Photorevised 1953, that indicates numerous developed properties in the area. This appears to be a discrepancy. Buildings or structures that are more than 45 years old may be eligible to the California Register of Historical Resources. Staff must ensure that all cultural resources are identified.

DATA REQUEST

60. Please provide copies of historic topographic maps (as referenced on page 11 of the Phase I Environmental Site Assessment) from the years 1898, 1927, 1946 and 1966.

Technical Area: Socioeconomics
Author: Joseph Diamond Ph. D.

BACKGROUND

The time value of money should be reflected for all economic estimates. Staff needs to know the year that corresponds to the dollar estimate.

DATA REQUEST

61. To the extent possible, please indicate the year for all economic estimates (i.e., project capital costs, economic impact analysis results using the Impact Analysis for Planning (IMPLAN) input-output model, estimates of total and locally purchased materials and supplies during construction, operations payroll, and operations and annual maintenance budget).

BACKGROUND

Staff needs to analyze the economic benefits of the WCEP.

DATA REQUEST

62. Please clarify and provide a quantitative estimate of the distribution of the property taxes among governmental units (i.e., the City of Industry and Los Angeles County) for the WCEP.

BACKGROUND

Socioeconomic data provided in the AFC has background material that is referenced on page 8.10-21. Having this information will help staff analyze the economic results of the project.

DATA REQUEST

63. Please provide copies of records of conversation that are part of Appendix 8.10B as stated on page 8.10-21 in the AFC.

Technical Area: Soil and Water Resources
Author: Brian Ellis

BACKGROUND

The WCEP proposes to discharge 34 million gallons of wastewater annually into Los Angeles County Sanitation District (LACSD) sewers, which will then transport the water to LACSD's San Jose Creek Wastewater Reclamation Plant (SJCWRP) (AFC Section 8.15.5.1). Wastewater effluent will include cooling tower blowdown, microfiltration backwash, process water, reject water from the reverse osmosis unit, and sanitary wastes. Cooling towers will concentrate SJCWRP reclaimed water at approximately 6 cycles of concentration while adding acid pH control and other chemicals to control scaling, biofouling, and corrosion. In the AFC, Table 7.2-1 shows the chemical composition of the source water. Table 7.4-1 shows the same chemicals' amounts at 8.1 cycles of concentration in the circulating cooling water, and Table 8.15-4 shows estimated levels of key constituents in WCEP's effluent to LACSD's sewer (Section 8.15.2.2.1). The latter table (8.15-4) shows that WCEP's effluent will have the exact same pH and TDS as the source. All the other constituents in Table 8.15-4 are estimated at similar levels to source as well.

LACSD has not yet issued WCEP an Industrial Wastewater Discharge Permit but has given oral affirmation that the wastewater described in the AFC would be acceptable for such a permit (Section 7.4.) However, the AFC's description of wastewater chemistry appears to be erroneous since the chemical composition of the wastewater after 8.1 cycles of concentration is reported to be nearly identical to that of the source water. The presence of 303(d) impaired water bodies downstream of the SJCWRP with high ammonia levels due to the effluent of publicly owned treatment works (AFC Supplement Section 8.15) further necessitates an accurate and detailed assessment of WCEP's potential contribution to existing water quality issues.

DATA REQUEST

64. Please provide a new table in which WCEP's estimated wastewater chemistry is described, including known pollutants originating both in the source water and on-site. A list of known industrial pollutants which LACSD may limit in addition to those found in Table 8.15-4 can be found in Section 2.2 of their "Information and Instructions for Obtaining an Industrial Wastewater Discharge Permit." If the water quality of the effluent is estimated to match that of the source water, explain why this is true.
65. Please provide an analysis of the possibility that WCEP sanitary or industrial wastewater could contribute to the high ammonia levels in the 303(d) impaired water bodies of the San Gabriel River watershed. This may include a schedule for the improvements at local treatment facilities expected to "significantly lower ammonia concentrations," as described in AFC Supplement section 8.15.

BACKGROUND

San Jose Creek, a 303(d) impaired water body (AFC Supplement Section 8.15), is adjacent to the WCEP site. Spills or other accidental discharges at WCEP could be linked to poor water quality in the creek if a pre-construction baseline is not established.

DATA REQUEST

66. Please provide a physical and chemical analysis of San Jose Creek adjacent to the WCEP site for baseline purposes. This may be U.S. Geological Survey sample data, a U.S. Army Corps of Engineers study, or an analysis of basic water quality parameters such as those found in the "General Parameters" section of AFC Table 7.2-1.

BACKGROUND

The AFC identifies reclaimed water from Rowland Water District (RWD) as the primary water supply for WCEP operations. Alternative sources for industrial process water were considered in Section 9.5.3, but these were rejected because reclaimed water is an obvious first choice, consistent with state policies regarding power plant cooling.

Staff's experience shows that reclaimed water supplies, even if thought to be reliable, can undergo outages of several days or more. If a complete outage were to occur at WCEP, onsite storage would only provide 1.5 hours of backup supply under peak operations (Section 2.1.7.2).

According to Section 2.1.7.2, the reliability of WCEP's water supply is "ensured by RWD's extensive reclaimed water storage facilities." RWD is projected to increase their deliveries of reclaimed water over the next 10 years (AFC Supplement Section 8.15). The AFC Supplement does not mention any predicted increase in storage capacity over that time period. Although a will-serve letter from RWD is provided in the AFC (Appendix 7A), this letter does not guarantee reliability. It states: "The facilities of the Rowland Water District are adequate *during normal operating conditions* to meet the requirements for the water system of this subdivision (sic)." (Italics added.)

DATA REQUEST

67. Please provide a description of RWD's reclaimed water storage facilities and an estimate of the number of days WCEP could operate on stored capacity alone.
68. Please provide a list of all outages or shortages in reclaimed water supply experienced by RWD and/or the San Jose Creek Wastewater Reclamation Plant in the last 5 years.
69. Please provide, if possible, any terms in a proposed agreement/contract with RWD which guarantee reliability of the reclaimed water supply to WCEP.
70. Please identify a preferred backup water supply sufficient for a worst-case 45 day disruption of reclaimed water supply during construction, commissioning, or operations of WCEP. Describe the potential impacts on other users of the backup

source if it was used operationally for a 45-day period in the summer (during peak demand of both power and water).

BACKGROUND

RWD, the proposed supplier of reclaimed water to WCEP, shares a 10,000 acre-feet per year allotment of LACSD-produced reclaimed water with two other water suppliers and a golf course (AFC Supplement, Section 8.15). Because future demand is projected to outstrip this allotment by 2015, RWD and the other suppliers are together negotiating with the City of Industry to acquire an additional 10,000 acre feet per year (afy). According to the AFC Supplement, "the expected demand from the WCEP (771 afy) would be supplied by Rowland Water District from the additional 10,000 afy under negotiation." It appears that no dedicated supply for WCEP exists at present.

DATA REQUEST

71. Please provide, if possible, a schedule for future negotiations between the City of Industry and the interested parties of RWD, Walnut Valley Water District, and Suburban Water Systems.
72. Please provide a detailed will-serve letter from RWD specifying whether reclaimed water will be available for WCEP as soon as 2007.

BACKGROUND

The WCEP site overlays shallow groundwater contaminated with industrial wastes (AFC Section 8.14.1.1.2). According to AFC Section 8.15.2.4, this groundwater is not expected to be encountered during excavations, and "the construction phase of WCEP will require no groundwater removal." The Geotechnical Report (Appendix 10G, Attachment 1) is cited, as it shows groundwater at 20 to 30 feet below the surface. The possible fluctuation of groundwater levels, both seasonally and year-to-year, is hinted at elsewhere in the AFC. The Phase I Site Assessment (Appendix 8.14A) states, "according to reports from nearby facilities, the depth to groundwater beneath the subject property is approximately 15 to 50 feet below ground surface, dependent upon seasonal conditions." Section 8.15.1.2 states that "recent measurements have shown [local] basin water levels in the upper portion of their historical range (approximately 5 to 10 feet)." If excavations encounter groundwater, appropriate dewatering practices and stormwater controls will need to be planned and ready to prevent pollution.

DATA REQUEST

73. Please provide information on the possible excavation depths to be reached during WCEP construction. Indicate which types of foundations would require the deepest and shallowest depths to be excavated.

BACKGROUND

The WCEP will be required to complete a Storm Water Pollution Prevention Plan (SWPPP) to comply with the State Water Resources Control Board's General Construction Stormwater National Pollutant Discharge Elimination System Permit (AFC Section 8.15.5.2). As is past practice, the Energy Commission will additionally require a

Drainage Erosion and Sediment Control Plan (DESCP) subject to the approval of the Compliance Project Manager. The DESCP will contain all information required in a SWPPP while also incorporating local stormwater standards and ordinances. The DESCP will be subject to several evaluations and revisions before the project is certified. While Section 8.15 of the AFC contains several descriptions of possible Best Management Practices (BMPs) and dewatering controls, these will need to be aggregated into a draft plan early on to ensure construction can begin with appropriate controls in place.

DATA REQUEST

74. Please provide a draft construction DESCP outlining site management activities to be implemented during site mobilization, excavation, and construction.

Technical Area: Traffic and Transportation
Author: Dmitri Smith

BACKGROUND

The Traffic and Transportation section of the AFC analyzed the traffic route to the project site of State Highway 60 to South Azusa Avenue to East Gale Avenue to South Bixby Drive. A possible alternative traffic route consisting of State Highway 60 to South Azusa Avenue to Anaheim Puente Road to East Chestnut Street was not analyzed. The route presented in the AFC requires trucks to make a left turn into the facility, thereby crossing traffic. The East Chestnut Street route provides a direct path to the site entrance avoiding cross-traffic.

DATA REQUEST

75. Please explain why the South Azusa Avenue to East Chestnut Street route was not analyzed.

76. Please analyze this potential route and provide the Levels of Service and Vehicle Delay (Existing and Peak Construction Conditions) for the following intersections:

    a. South Azusa Avenue and East Railroad Street;

    b. South Azusa Avenue and Anaheim Puente Road; and

    c. Anaheim Puente Road and East Chestnut Street.

    In discussing and analyzing this route and other potential routes, please work with the city and county traffic engineers to identify their preferences.

Technical Area: Visible Plume Modeling
Author: Gabriel D. Taylor and William Walters

BACKGROUND

The visible water vapor plume discussion provided in the Visual Resources section of the AFC (Section 8.13.2.3.7, page 8.13-18) states that formation of visible plumes would be a rare occurrence and, when present, the plumes would be relatively small. It is not clear if the applicant conducted a modeling analysis of vapor plumes to support this conclusion since the AFC did not contain any supporting analysis.

DATA REQUEST

77. If the applicant performed a visible plume modeling analysis in support of the AFC Visual Resources conclusion, please provide:
    a. the modeling results;
    b. any meteorological data used in the analysis;
    c. a full discussion of all assumptions;
    d. the name and version of the model used; and
    e. all model input and output files.
78. If the applicant has not performed a modeling analysis, please provide any analysis that supports the visible water vapor plume discussion in the AFC.

BACKGROUND

Staff conducts a plume modeling analysis using the Combustion Stack Visible Plume (CSVP) model and the Seasonal Annual Cooling Tower Impact (SACTI) model for all projects with cooling towers. Staff has multiple year meteorological files from Long Beach and Burbank that are formatted and ready to use in the modeling analysis. A cursory review of available meteorological data sources has not found that a more representative data set is readily available. Staff will compare normal ambient conditions to determine which of these two locations is most representative of the site area and use that data set in the modeling analysis. The applicant may propose a more representative meteorological data set. Staff will provide the applicant with a copy of the CSVP model training manual (which includes the program files) upon request.

DATA REQUEST

79. If the applicant would like to propose a more representative data set for use in the modeling, please provide five years of meteorological data files in either the National Climate Data Center (NCDC) CD144 (surface data), NCDC-TD3280 (hourly surface observations with precipitation), or Hourly United States Weather Observations (HUSWO) format. The files should be the most recent years available. The files must include present weather, cloud cover, and visibility data. Please include:

a. a complete description of the source of this data (i.e. specific location, anemometer height, etc);

b. a discussion of why the data is more representative than either Long Beach or Burbank; and

c. an electronic copy of the raw meteorological data file for each year.

80. If the applicant proposes a meteorological data set in response to the Data Request above, please also provide meteorological data files for the same five years in ISCST3 format from the same data source. These files must include stability class data.

BACKGROUND

Staff will require additional project and site data to complete the visible plume modeling analysis. Staff intends to model the cooling tower using hourly estimated exhaust conditions based on the hourly ambient conditions of the meteorological file. Staff will assume saturated cooling tower exhaust at the exhaust temperature determined through interpolation for the hourly ambient conditions. Therefore, additional combinations of temperature and relative humidity, if provided by the applicant, will more accurately represent the cooling tower exhaust conditions.

DATA REQUEST

81. Please provide the values for heat rejection, exhaust temperature, and exhaust mass flow rate that affect cooling tower vapor plume formation for a range of ambient conditions that represent reasonable worst-case operating scenarios. At a minimum, please fill in all blanks in the table below. Please also update/correct the table, if necessary.

Parameter	**Cooling Tower Exhausts**		
Number of Cells	5 cells (in 1x5 array)		
Cell Height*	11.89 meters		
Cell Diameter*	6.71 meters		
Tower Housing Length*	66.53 meters		
Tower Housing Width*	11.28 meters		
Ambient Temperature	20 °F	59 °F	95 °F
Ambient Relative Humidity	60 %	60 %	60 %
Heat Rejection (MW/hr)			
Exhaust Temperature (°F)			
Exhaust Flow Rate (lb/hr)			

*Stack dimensions from AFC Table 8.1B-2. Tower length and width (not including circulating pumps) estimated from AFC Table 8.1B-3 and 8.1B-4.

82. Please indicate if the cooling tower has any plume mitigation features that would reduce the exhaust moisture content below the saturated level.

83. Please provide the cooling tower make and model number, and any vender documentation available for the specific model.

84. Please provide a fogging frequency curve from the cooling tower vendor, if available.
85. Please indicate how many cooling tower cells will be turned on under different partial load conditions (i.e. when will all five cells be on, when will four cells be on, when will two cells be on, etc.?). Please also note if ambient conditions, such as cold temperatures, dictate when cells may be turned off.
86. Please confirm that the cooling tower fan motors will not have a variable speed/flow controller.

Technical Area: Visual Resources
Author: Gary Collord

BACKGROUND

The AFC provides an assessment of the visual effects of potential water vapor plumes from the proposed facility relative to its proposed operational regime. Given the number of manufacturing facilities in the City of Industry, there may be other commonly occurring visible dust, smoke or water vapor emissions in the vicinity.

DATA REQUEST

87. Please describe and analyze the size and frequency of any existing, commonly occurring, visible industrial emissions within a one-mile radius of the proposed facility and the cumulative visual effect such atmospheric emissions may cause in combination with those of the proposed facility.

BACKGROUND

The photographic scale of the visual simulations in the AFC does not adequately reveal the actual view and the project's potential visual impact. In particular, the simulations do not represent a life-size scale when viewed from a normal reading distance.

DATA REQUEST

88. Please re-scale the KOP views and simulation images to achieve life-size scale. After re-scaling, please provide high quality 11" x 17" color photo copies of the existing views and simulation images for each of the three KOPs.
89. Please provide the electronic files of the re-scaled views and images.

BACKGROUND

The AFC identifies the development plan and landscaping standards and policies from the City's general plan and zoning ordinance relative to the design and overall visual aspects of the project. The AFC also generally describes how the project will conform to these standards and policies. However, it is not possible to adequately evaluate the project's compliance with these standards and policies without reviewing representative development and landscaping plans.

DATA REQUEST

90. Please prepare and submit a set of development plans for our review that contain all of the components relative to Site Plans and Elevation Plans, as required by the City's Development Guidelines and Development Plan Application (paragraphs A and C) process.
91. Please provide a landscape and irrigation plan that contains all the components required by the City.

Technical Area: Waste Management
Author: Ellen Townsend-Hough

BACKGROUND

Staff's analysis includes issues associated with managing wastes generated from constructing and operating the proposed WCEP. Staff evaluates the proposed waste management plans and mitigation measures designed to reduce the risks and environmental impacts associated with handling, storing, and disposing of project-related hazardous and non-hazardous wastes.

In order to ensure that the WCEP will not pose a risk to the public or environment, staff needs to determine if the site was used as a disposal site and whether hazardous waste has been disposed of at this location.

The AFC describes the proposed site as being occupied by a warehouse that is proposed for demolition (Chapter 2, page 2-1). Coastal Group/ARC is the current occupant of the warehouse. According to the AFC and the Phase I Environmental Site Assessment (ESA) in Appendix 8.14A, Coastal Group/ARC leases the property for computer hardware packaging, warehousing and distributing purposes (AFC page 8.14-1). However, the Phase I ESA Update and Phase II Groundwater Investigation (Appendix 8.14B) states that the Coastal Group/ARC facility is a California Integrated Waste Management Board (CIWMB) approved Covered Electronic Waste Collector and Recycler. Appendix 8.14B states that the Coastal Group/ARC facility also operates as a large quantity generator and transporter of hazardous waste under U.S. EPA ID No. CAR000A45714, and Department of Toxic Substances Control, California EPA ID No. CAL000273749.

In addition, according to the Phase 1 ESA (Appendix 8.14A, page 12), the warehouse contains asbestos-laden materials. The AFC states that the City of Industry Urban Development Agency plans to demolish the existing warehouse before WCEP takes physical possession of the property.

DATA REQUEST

92. Please clarify whether demolition of the warehouse and removal of hazardous wastes including asbestos will be entirely the responsibility of the City of Industry Urban Development Agency.
93. Please discuss if remediation of the site will be required before the property is turned over to WCE. If remediation will be required, please provide a description and schedule.
94. According to the Phase 1 ESA Update, Coastal Group/ARC is processing electronic waste at the property. The samples from the temporary groundwater monitoring wells indicate that chromium and lead levels are above screening levels.
    a. Please confirm whether Coastal Group/ARC processes materials containing lead or chromium.

b. Please discuss whether Coastal Group/ARC's activities have the potential for adding additional lead and chromium contamination on the proposed project site.

BACKGROUND

The proposed WCEP site is located in Area 4 of the San Gabriel Valley Superfund Site. Staff has confirmed with Region IX of the U.S. EPA that the project site is not a responsible party within the San Gabriel Valley Superfund Site. The Phase I ESA Update concludes that groundwater contamination underneath the site was likely caused by offsite sources associated with the San Gabriel Valley Superfund Site.

DATA REQUEST

95. Please discuss if there is potential for onsite remediation of the Superfund plume, such as adsorption systems and monitoring wells.
96. Please discuss how the project's final design will incorporate potential Superfund site remediation.

BACKGROUND

Although the project site is not a responsible party within the San Gabriel Superfund Site, the Phase I ESA Update recommended near surface soil tests given current operations at the site. The Phase I ESA Update and Phase II Groundwater Investigation (Appendix 8.14B) recommended several near surface soil samples be collected along the north side of the building and analyzed for Volatile Organic Compounds and Title 22, California Code of Regulations, metals.

DATA REQUEST

97. Please collect and analyze the recommended soil samples and provide the results to staff.

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

APPLICATION FOR CERTIFICATION FOR THE WALNUT CREEK ENERGY PARK (WCEP)	**DOCKET NO. 05-AFC-2** **(Revised 2/23/06)**

PROOF OF SERVICE LIST

DOCKET UNIT

Send the original signed document plus the required 12 copies to the address below:

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DOCKET UNIT, MS-4
*Attn: Docket No. 05-AFC-2
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* * * *

In addition to the documents sent to the Commission Docket Unit, also send individual copies of any documents to:

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INTERESTED AGENCIES

No agencies to date.

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DECLARATION OF SERVICE

I, **Dora Gomez**, declare that on **March 10, 2006**, I deposited copies of the attached **RE: Data Request (1-97) (05-AFC-2)** in the United States mail at Sacramento, CA with first class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above. Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. I declare under penalty of perjury that the foregoing is true and correct.

[signature]

* * * *

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