

Questions Re Walnut Creek Conditions of Certification

HAZ-7 provides that delivery trucks must use the CPM-approved route and that any change to that route must be CPM approved. The FSA discussion states that the ammonia delivery route must be approved by the CHP. If the route in this condition is to be changed, who has the determinative approval of the route? Could the CPM overrule the route approved by the CHP? Is that what the proposed Condition means? Should the Condition incorporate the role of the CHP in the event of a proposed route change?

HAZ-9 (sub. 10) provides for “Security guards [plural] present 24 hours per day...” Does that mean multiple guards present for each of the 24 hours per day? Or, does it mean that there shall a guard, not the same guard, present 24 hours per day (such as three 8-hour shifts)?

PAL-4 provides that all workers shall be subject to the WEAP. What is the nexus between the described potential impacts and needed mitigation that would require workers not involved in earthmoving or excavation to be required to take this WEAP training?

SOIL & WATER-6 provides that proposed changes in water supply that would increase potable water use over 95 AF are to be approved by the CPM, whereas the verification states the approval of changes is to be by the Energy Commission. Which is it, the CPM or the Commissioners?

SOIL & WATER-7 provides that the annual compliance report is to include the current-year annual water use information, plus the water use for the prior two years. Presumably, prior annual water use has been previously reported. What justifies requiring the project owner refiling (twice) information that is already in the possession of the CPM?

NOISE-4 provides that the maximum noise is to be measured at street intersections near M2 “or” M4. Given that these are two different locations, affecting nearby residents differently due to intervening structures, what is the justification for the condition being “either/or?” Shouldn’t the condition be at intersections near M2 “and” M4?

CULT-5 provides that all workers are subject to the WEAP training. What is the nexus of potential impact to mitigation that would require WEAP training to other than workers grading or excavating at the project?

CULT-5 also provides that the WEAP training is required for all new workers “prior to and during the start of site mobilization” through “construction,” which means throughout the entire period prior to operation based upon the general definitions in the Compliance section. What justifies WEAP training throughout construction, particularly after the conclusion of grading and excavation, given

that the only potential impact described by the FSA section is to unknown, buried resources? After excavation for foundations and underground piping, etc., and any isolated landscaping requiring deep hole digging, is there any justification for continued WEAP training, since the workers doing excavation, etc., would presumably discontinue employment at the site? Since no vegetative screening is required for visual impact mitigation, there does not appear a landscaping requirement that would include further grading or deep holes. So why is landscaping included?

WORKER SAFETY-5 provides for defibrillator and a program to ensure that workers are properly trained in its use. There is no specification of the number or other responsibilities of such workers. Is it to be all workers? If not, then what is number of workers, presumably for each shift, and from what class or classes of employee are the workers to be trained.