DOCKETED	
Docket Number:	25-SPPE-02
Project Title:	NorthTown Backup Generating Facility (NTBGF)
TN #:	265709
Document Title:	Data Requests Set 2 for NorthTown Backup Generating Facility
Description:	N/A
Filer:	Kaycee Chang
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	8/19/2025 4:41:32 PM
Docketed Date:	8/19/2025

August 19, 2025

LBA RVI-Company I, LP
C/O Scott A. Galati
1720 Park Place Drive
Carmichael, California 95608

Data Requests Set 2 for NorthTown Backup Generating Facility (25-SPPE-02)

Dear Scott A. Galati:

Pursuant to California Code of Regulations, title 14, section 15084(b) and title 20, section 1941, the California Energy Commission (CEC) staff is asking for the information specified in the enclosed Data Requests Set 2, which is necessary for a complete staff analysis of the NorthTown Backup Generating Facility (NTBGF), under the California Environmental Quality Act (CEQA).

Data Requests Set 2 seeks further information in the area of Hazards and Hazardous Materials, based on the contents of the application submitted. While CEC staff has made a concerted effort to capture all outstanding data needs in two comprehensive sets of data requests, CEC staff may have additional requests. Subsequent sets of data requests are possible if following review of responses to Set 2, staff needs additional data to perform a complete analysis of the proposed project.

To assist CEC staff in timely completing its environmental review and to meet the requirements of CEQA (see Pub. Resources Code § 21160, subd. (a)), CEC staff is requesting responses to the data requests within 30 days. If you are unable to provide the information requested or need additional time, please send written notice to me within 10 days of receipt of this letter. If you have any questions, please email me at Ali.Jahani@energy.ca.gov.

/S/
Ali Jahani
Project Manager

Enclosure: Data Requests Set 2

HAZARDS AND HAZARDOUS MATERIALS

Authors: Katherine Lewis & Michele Shi

BACKGROUND: Hazardous Materials Handling During Construction

California Code of Regulations (CCR), title 20, Division 2, Chapter 5, Appendix B (g) (10) (A) requires a list of all materials used or stored on-site which are hazardous or acutely hazardous, as defined in title 22, CCR, § 66261.20 et seq., and a discussion of the toxicity of each material. Additionally, CCR, title 20, Division 2, Chapter 5, Appendix B (g) (10) (C) requires a discussion of the storage and handling system for each hazardous material used or stored at the site.

Section 3.2.9, Waste Management, of the SPPE Application (TN 264500) states that "The NTBGF will not create any waste materials other than minor amounts of solid waste created during construction and maintenance activities." However, the SPPE Application does not provide a list of hazardous materials that are expected to be used on site during construction and maintenance, nor does it discuss systems and procedures related to the delivery, storage, use and spill containment of those hazardous materials.

DATA REQUEST

DR HAZ-1 Please provide a list of all materials that would be used and stored on-site during project construction which are hazardous or acutely hazardous as defined in title 22, CCR, § 66261.20 et seq., and a discussion of the toxicity of each material. Please also provide a discussion of the storage and handling system for each hazardous material that would be used or stored at the site during project construction and maintenance activities. Please include procedures for delivery, storage, spill/leak prevention, containment, cleanup and disposal of those materials.

BACKGROUND: Refueling Spill/Leak Containment

CCR, title 20, Division 2, Chapter 5, Appendix B (g) (10) (C) requires a discussion of the storage and handling system for each hazardous material used or stored at the site.

Section 3.2.10, Hazardous Materials Management, of the SPPE Application (TN 264500) describes the loading and/or unloading systems and procedures for diesel fuel including "… a spill catch sump is located at the low spots within each fill port for the fuel tank." However, the SPPE Application lacks details of the diesel fuel spill containment systems. The SPPE Application goes on to describe that "[e]ach enclosure will have an approximately 100-gallon DEF (Diesel Exhaust Fluid) tank. The tank can be filled in place from drums, totes or bulk tanker truck similar to the process identified for the diesels refuel process." However, the SPPE Application lacks details in the discussion of delivery procedures and does not discuss systems and procedures related to the storage, handling and spill/leak prevention and containment of DEF.

DATA REQUESTS

DR HAZ-2 Please provide a description and diagrams of the "spill catch sump located at the low spots within each fill port for the fuel tank", including the volume of fuel these basins can contain.

DR HAZ-3 Please provide a description of the procedures for cleaning up any spill/overflow within the spill catch sumps.

DR HAZ-4 Please provide a description of the procedures in the event that fuel leaks during project operation.

DR HAZ-5 Please provide an estimate of how often the DEF tanks would need to be refilled during operation of the generators as well as the total volume of DEF to be stored on site.

DR HAZ-6 Please provide a discussion of the safety measures (including secondary containment) that would be undertaken to prevent spills or leaks during the filling of the DEF tanks during commissioning and operation of the project.

BACKGROUND: Phase I ESA, Previous Reports and Other Provided Documentation

The applicant included a Phase I Environmental Site Assessment (ESA) dated September 17, 2024, prepared by Partner Engineering and Science, Inc. (Partner) (TN 264513) as part of the SPPE Application. Section 5.2.6, Previous Reports and Other Provided Documentation of the Phase I ESA (Appendix J, TN 264513) includes a list of documents provided to Partner for review during the course of Phase I ESA preparation, and summarizes the scope of work, sampling, results and conclusions of some of those documents.

DATA REQUEST

DR HAZ-7 Please provide a copy of the following documents:

- Phase I Environmental Site Assessment, Philips Lumileds, 350 and 370 West Trimble Road, San Jose, California, URS Corporation (URS) (October 28, 2014)
- Phase II Environmental Site Investigation, Philips Lumileds, 350 and 370 West Trimble Road, San Jose, California, URS (December 2, 2014)
- Soil Management Plan, Philips Lumileds, 350 and 370 West Trimble Road, San Jose, California, Environmental Program Management, LLC (EPM) (March 2018)

BACKGROUND: Phase I ESA, Existing Underground Storage Tanks (USTs)

Section 2.2 Current Property Use of the Phase I ESA (Appendix J, TN 264513) states that "[o]ne 12,000-gallon double-walled diesel UST is located to the southwest of Service Building 89 along with two additional USTs that have remained empty since installation." Additionally, Section 5.2.6 states that "[t]he UST area contained two USTs that were not and reportedly have never been used. Based on the 1980s installation, these USTs would not meet current requirements and could not be used." The SPPE Application (TN 264500) and Phase I ESA do not include any additional descriptions or documentation substantiating the reported history of the "two additional USTs" as referenced in the Phase I ESA.

DATA REQUESTS

DR HAZ-8 Please provide documentation demonstrating that the "two additional USTs" were never used and have remained empty since installation.

DR HAZ-9 Please describe, and/or illustrate with a figure, the location and features (depth, dimensions, piping, etc.) of all underground storage tanks, including the "two additional USTs", located within and/or immediately adjacent to the proposed NorthTown Data Center Project improvements. Include a description of how the location of the USTs relates to the proposed completed site improvements and associated construction activities (grading, excavations, staging, laydown and parking areas, materials storage areas, etc.). Include the location and depth of any associated piping or other infrastructure.

BACKGROUND: Phase I ESA, Existing Monitoring Wells

Section 5.2.6 Previous Reports and Other Provided Documentation of the Phase I ESA (Appendix J, TN 264513) discusses that a "…release of diesel fuel occurred due to damaged piping associated with the 12,000-gallon underground storage tank (UST) located outside the southwest corner of Service Building 89." The Phase I ESA goes on to describe that "[t]he investigation included the collection of soil samples from the piping trench during piping repair and collection of soil samples from five soil borings followed by installation of groundwater monitoring wells in the soil borings." The Phase I ESA states that "*[m]onitoring wells are no longer present at the subject property*."

The SPPE Application (TN 264500) does not include a discussion or diagrams of the extraction and/or monitoring well locations, nor does it include a discussion of the destruction of the wells.

DATA REQUESTS

DR HAZ-10 Please provide documentation showing the locations of all extraction and/or monitoring wells relative to the proposed project.

DR HAZ-11 Please provide documentation showing that all extraction and/or monitoring wells were destroyed per applicable local standards, including the Santa Clara Valley Water District Ordinance 90-1 and the minimum standards as presented in the California Department of Water Resources California Well Standards Bulletin 74.

BACKGROUND: Federal Aviation Regulations Part 77

Section 4.9.2.1 (e), Potential Impacts, of the SPPE Application (TN 264500) states the following:

"As described in Section 4.9.1.2 Existing Conditions, any structure exceeding 40 feet in height at the Project Site would require submittal to the Federal Aviation Administration (FAA) to determine the potential for the Project to create an aviation hazard. Additionally, as the proposed Project would have a maximum height of 81.4 feet at the top of the rooftop mechanical equipment, notification to the FAA is required to determine the potential for the Project to create an aviation hazard. The Project Applicant has engaged a consultant to prepare a thermal plume analysis to assess the potential effects of the thermal plumes from the backup generating facilities on airport operations. The analysis is underway and will be submitted under separate cover. The Project Applicant has also filed FAA Forms 7460 with the FAA to determine the potential for the Project to create an aviation hazard."

DATA REQUEST

DR HAZ-12 Please provide a copy of the FAA Form 7460 and the Preliminary Findings report, Favorable Determination report or Determination of Hazard report once received by applicant.