

DOCKETED	
Docket Number:	00-AFC-01C
Project Title:	Contra Costa Power Plant Project Compliance
TN #:	270301
Document Title:	ORDER APPROVING POST CERTIFICATION CHANGE
Description:	Modification of COC AQ-SC12 and Delete AQ-SC13 in the Final Decision
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Organization:	California Energy Commission
Submitter Role:	Commission Staff
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CALIFORNIA ENERGY COMMISSION

IN THE MATTER OF GATEWAY GENERATING STATION, POST CERTIFICATION PETITION TO AMEND, 00-AFC-01C

ORDER APPROVING POST CERTIFICATION CHANGE

ORDER NO: 26-0513-03b

I. BACKGROUND

On September 25, 2025, the Pacific Gas and Electricity Company (Project Owner) filed a Post-Certification Petition for Changes in Project Design, Operation or Performance and Amendments to the Commission Decision (Final Decision) (TN 266146) with the California Energy Commission (CEC) requesting to amend the Gateway Generating Station (GGS) Air Quality Condition of Certifications (COCs) to modify AQ-SC12 and delete AQ-SC13. AQ-SC12 and AQ-SC13 were approved by the CEC in 2018 (TN 224369), and as part of a Settlement Agreement regarding air quality monitoring at start-up events at GGS (TN 224461).

GGS is a 530-megawatt (MW) combined-cycle, natural gas facility that was certified by the CEC in May 2001. It began commercial operation in January 2009. The facility is within the site complex of the existing Contra Costa Power Plant (CCPP) in Contra Costa County, just north of the City of Antioch, in Contra Costa County.

The project owner seeks approval to modify COC AQ-SC12 and delete COC AQ-SC13 in the Final Decision. The reason for the request to amend the Final Decision is related to operational challenges with the visual emissions evaluation (VEE) requirements in COC AQ-SC13 and unintended impacts to the project owner's response time after an outage and when the project owner can restart operations.

II. STAFF RECOMMENDATION

Staff recommend the CEC approve the petition.

Staff has reviewed the petition for potential environmental effects and consistency with applicable laws, ordinances, regulations, and standards pursuant to California Code of Regulations, title 20, section 1769. Staff concludes that, with the deletion of AQ-SC13 and amended AQ-SC12, the effect on the environment would be less than

significant with mitigation. Staff concludes that the project would continue to comply with all applicable applicable laws, ordinances, regulations, and standards and that the findings specified in California Code of Regulations, title 20, section 1748(b), do not apply to the proposed changes. Staff further concludes the proposed modified AQ COCs do not meet any of the criteria requiring the preparation of subsequent or supplement review pursuant to Public Resources Code section 21166 or California Code of Regulations, title 14, sections 15162 and 15163.

Staff reviewed the project's compliance reports since the adoption of AQ-SC13. Following each restart event, a California Air Resource Board certified U.S. Environmental Protection Agency -Method 9 observer conducted a one-hour VEE with 15-second opacity readings and confirmed that no visible emissions exceeded the scale for measuring the apparent density or opacity of smoke. Additionally, no complaints related to visible emissions were received over the past six years.

While compliance history alone is not the sole justification for deletion of the condition, staff concluded that the record provides supporting evidence that the risks addressed by AQ-SC13 are being effectively mitigated through current operational practices. In addition, the proposed modification to AQ-SC12 would incorporate five additional enhanced preventive maintenance measures including: inspections, debris removal, internal vacuuming of flue gas spaces, dehumidification during extended lay-ups, and stack blinding. These measures provide an equivalent level of assurance that visible emissions would remain below applicable opacity standards, without reliance on a VEE.

The Project Owner would still be required to comply with existing air quality COC reporting requirements, which include those from the Bay Area Air District, CEC, California Air Resources Board and the U.S. Environmental Protection Agency.

Staff's assessment of the petition was subject to a 30-day comment period and no substantive comments were received.

With the amendment of AQ-SC12, deletion of AQ-SC13, and prior payment under the Settlement Agreement, staff recommend CEC terminate the Settlement Agreement, which will be obsolete and unnecessary. Any future amendments to the Final Decision's terms or conditions will be done pursuant to California Code of Regulations, title 20, section 1769 and/or other applicable law.

III. ENERGY COMMISSION FINDINGS

Based on the record, including staff's analysis, the CEC concludes that the proposed modifications and termination of the Settlement Agreement will not result in any significant impacts to public health and safety, or to the environment. The CEC finds that:

- a. The petition meets all the filing criteria of California Code of Regulations, title 20, section 1769(a), concerning post-certification project modifications.
- b. The modifications will not change the findings in the CEC's Final Decision, pursuant to California Code of Regulations, title 20, section 1748.
- c. The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525.
- d. Any environmental impacts will be less than significant with mitigation with the modified conditions of certification.
- e. The proposed amendment to AQ-SC12 and deletion of AQ-SC13 do not meet any of the criteria requiring the preparation of subsequent or supplement review pursuant to Public Resources Code section 21166 or California Code of Regulations, title 14, sections 15162 and 15163.
- f. Notice of the staff assessment was mailed to the CEC's list of interested parties and property owners of all parcels within 500 feet of any affected project linears and 1,000 feet of the project site as well as emailed to the CECL subscription list.
- g. The staff assessment was subject to a 30-day comment period.

IV. CONCLUSION AND ORDER

The CEC hereby adopts staff's recommendations and approves the petition and amended conditions of certification to the Commission Decision (TN 224369) as set forth in the staff analysis (TN 268926), and the CEC terminates the Settlement Agreement (TN 224461).

V. IT IS SO ORDERED.

APPROVED AND ADOPTED this 13TH day of May, by the following vote:

AYE: Hochschild, Gallardo, Skinner

NAY: None

ABSENT: Gunda, McAllister

ABSTAIN: None

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly approved and adopted by the affirmative vote of the CEC at a meeting held on May 13, 2026.

A handwritten signature in cursive script that reads "Kim Todd".

Kim Todd
Secretariat