

DOCKETED	
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Project Title:	Corby Battery Energy Storage System Project
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Document Title:	Fire Water Supply and Local Fire Agency Authority
Description:	Worker Safety and Fire Protection: Hazardous Materials; Public Health
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Fire Water Supply and Local Fire Agency Authority

September 10, 2026

California Energy Commission

Docket Unit, MS-4

Re: Docket No. 24-OPT-05 (Corby Battery Energy Storage System Project)

715 P Street

Sacramento, CA 95814

(Submitted electronically via CEC e-Commenting System)

Subject: Public Comment on Unresolved Fire-Water Supply and Local Fire-Agency Authority

Dear California Energy Commission and Commission Staff,

I submit these comments on the Staff Assessment / Draft Environmental Impact Report for the Corby Battery Energy Storage System Project. The Staff Assessment acknowledges that the applicant's proposed 24,000-gallon fire-water tank may be inadequate and records Dixon Fire Protection District's stated potential need for approximately 1,200 gallons per minute for life safety and cooling of adjacent battery units. Yet the required capacity and final fire-protection design remain unresolved.

The concern is not simply that implementation details will be completed later. The unresolved matters determine whether adequate fire protection is physically available and whether local first responders can prevent an unsafe design from proceeding.

1. Known Fire-Water Deficiency Is Deferred

Reference: Staff Assessment Section 4.4, pp. 4.4-37 to 4.4-39 and 4.4-55 to 4.4-56; proposed WORKER SAFETY-7(n).

Issue: The record identifies a present deficiency but does not establish the final gallons per minute, required duration, total storage capacity, replenishment method, tank configuration, hydrant or monitor locations, or water-tender requirements.

Why it matters: Without those figures, the Commission cannot determine from the public record whether the project has a feasible and adequate water supply for the fire scenario the condition is intended to address. Consultation after certification does not disclose the actual solution or demonstrate that the necessary water and infrastructure are available.

Requested correction: Complete and docket a final fire-flow analysis before certification. The analysis should specify flow rate, duration, total storage, replenishment, distribution infrastructure, and water-tender assumptions, and it should identify the legally and physically available water source.

2. Fire Departments May Comment but Do Not Have Clear Concurrence Authority

Reference: Proposed WORKER SAFETY-1, WORKER SAFETY-2, WORKER SAFETY-6, and WORKER SAFETY-7.

Issue: The proposed conditions generally allow Dixon Fire and other fire agencies to review and comment, while the CEC Compliance Project Manager retains approval authority. References to letters describing “resolved comments” do not define who decides that a concern has been resolved.

Why it matters: A condition is not a meaningful local-safety hold point if the approving authority may proceed over an unresolved objection from the agency expected to respond to an incident. This is especially important where the CEC certificate is issued in lieu of most local permits.

Requested correction: Require written concurrence from Dixon Fire and Vacaville Fire on the final fire-water system, fire-protection design, and emergency-response plan. Define “resolved” as written confirmation from the commenting fire agency. If the Commission retains override authority, require a publicly noticed determination supported by evidence before any override.

3. Final Fire-Protection Design Is Submitted Shortly Before Construction

Reference: Proposed WORKER SAFETY-6 and WORKER SAFETY-7; Staff Assessment pp. approximately 170-172 of the 1,403-page PDF.

Issue: Final specifications and drawings addressing access, gates, sensors, alarms, thermal cameras, command-and-control systems, and fire-water infrastructure are deferred until approximately 60 days before BESS construction.

Why it matters: These are not merely cosmetic construction details. They are core safety features relied upon to reduce risk. Vague terms such as “adequate,” “sufficient,” and “safe distance” do not supply measurable acceptance standards by themselves.

Requested correction: Resolve core design parameters before certification; add measurable performance criteria; require independent acceptance testing witnessed by Dixon Fire; and state expressly that BESS construction may not begin until both the CPM and the fire agencies provide the required written approvals.

Conclusion and Requested Action

The Commission should not certify the project while an acknowledged fire-water deficiency and the essential fire-protection design remain unresolved. At minimum, the final conditions must create explicit, enforceable stopping points and give the responsible local fire agencies meaningful written-concurrence authority.

Please answer in writing: What exact fire-water capacity, flow rate, and duration will be required? Can the CPM approve the fire-water system or fire-protection design over an unresolved Dixon Fire objection? Who determines whether a fire agency's comments are “resolved”?

Thank you for your consideration and for providing a written response to these issues before project certification.

Sincerely,

Eric Romingquet
Vacaville Resident