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Revision 2 Part 2 Data Requests for Perkins Renewable Energy Project (24-OPT-01)

All requested information is reasonably necessary to prepare an Environmental Impact Report as part of a CEC Staff Assessment and to support a decision on the application for the Perkins Renewable Energy Project, including all the findings required in Chapter 6.2 of Division 15 of the Public Resources Code sections 25445 et seq.

CEC staff asks the applicant to file complete responses by technical area to the requested data in as few submittals as possible and provide an estimated timeline of when the remaining data will be submitted. CEC staff asks that upon submitting complete responses, the applicant provide a statement that its response to the request for information is complete and addresses all identified deficiencies.

The applicant filed responses to Staff Data Requests on April 22, 2026 (TNs 269550 and 269551), May 7, 2026 (TN 269875- confidential files), and on May 27, 2026 (TN 270303). Staff filed Revision 2 Part 1 data requests for transportation and worker safety on June 17, 2026 (TN 270687). Staff has the following data requests for biological resources, water resources, and worker safety/fire protection (Revision 2 Part 2).

BIOLOGICAL RESOURCES

The Data Request Response to REV 1 DR BIO-3 included an Updated Lake and Streambed Alteration Agreement (LSAA) application and Updated Waste Discharge Requirements (WDR) application, which included revised figures and impact tables intended to reflect the current project design as modified to avoid the desert dry wash woodland/microphyll woodland and impacts to jurisdictional features. However, there are still inconsistencies between the mapped avoidance areas, impact figures, and impact tables. Additionally, as noted in Data Request Response DR BIO-3d, the applicant stated that the desert dry wash woodland would be avoided through implementation of a 200-foot buffer (except for minor incursions as described in the Desert Renewable Energy Conservation Plan (DRECP) Land Use Planning Amendment (LUPA)), which would also protect both washes and most of the swale, and that any impacts to jurisdictional waters would be described in subsequent data responses. Consistent with REV 1 DR BIO-1, the updated applications still do not provide a clear description of the proposed avoidance area on Aquatic Resources Map 8 nor include vegetation mapping correlating to with "Sonoran-Coloradan Semi-Desert Wash Woodland/Scrub" DRECP LUPA-BIO-RIPWET-1" which requires the referenced 200-foot setback. In addition, the documentation does not provide sufficient information to demonstrate that areas proposed for avoidance would remain protected and hydrologically viable to sustain downstream habitats and hydrologic processes following project construction. Lastly, on page 9 of 24 in the Updated WDR in the

Aquatic Resource Delineation Report Information section, a box is marked, "Yes," indicating that a copy of the United States Army Corps of Engineers' (USACE) verification of the Aquatic Resources Report and Aquatic Resources Report Addendum has been submitted; however, it appears that the USACE verification has not been included as an attachment to the Updated WDR application.

This includes the following:

- Figures 7 and 8 (pages 28 and 29) of the Updated LSAA Application and Figure 3 (page 1) of the Updated WDR application in Attachment B show an area in the southeast corner that will be avoided. However, it appears that the "Avoided, no-build area with fence," shown in pink, should extend around the desert dry wash woodland/microphyll woodland near the southeastern corner of the Project Application Area. Currently, this area is only delineated by the "Proposed Solar Facility Fencing."
- Although it is understood that the final extent and quantity of impacts will depend on final engineering design, the permanent impact areas reported for each JD Feature in Table 3 do not appear to correspond with the impacts depicted on Figure 3 of the Updated WDR application.

REV 2 DR BIO-1. Please provide the following:

1. Confirm whether the "Avoided, no build-area with fence" is intended to coincide with the "Proposed Solar Facility Fencing" in this location. If so, revise the figures accordingly or explain why the avoidance boundary differs from the proposed fencing.
2. Ensure that the area of impacts on Figure 3 and Table 3 are consistent. If the differences are intentional, provide an explanation for the discrepancy.
3. The final sentence of the second paragraph on page 7 of the Updated WDR application appears to be incomplete. Please complete the sentence and revise the document as appropriate.
4. Pursuant to Fish and Game Code section 10602(a)(4) and related provisions for California Department of Fish and Wildlife's (CDFW) review of the LSAA materials, provide sufficient project design information, impact analyses, and avoidance measures to demonstrate that the proposed avoided jurisdictional areas would remain protected and hydrologically viable to sustain downstream habitats and hydrologic processes following project construction and operation.
 - If these areas are expected to remain unaffected, describe the design features, fencing, buffers, drainage patterns, access restrictions, and

any other measures that would prevent direct and indirect impacts, including changes to stream flow, hydrology, or other ecological functions.

- If such information cannot be provided at this stage, explain how indirect impacts to these avoided aquatic resources were evaluated and whether these areas should be considered permanently, indirectly impacted by the project.
 - If these areas should be considered permanently, indirectly impacted due to a substantial modification or diversion of stream flows, additional mitigation may be required.
5. Revise all figures depicting jurisdictional stream resources, waters of the state and/or LUPA BIO-RIPWET-1 buffers, as applicable, and label these features accordingly. CDFW believes that the jurisdictional delineation features mapped in the Updated LSAA Application on Figures 7 and 8 and on Figure 3 in the Updated WDR Application are connected. Based on the aerial imagery presented in these figures, these areas should be buffered and impacts to them should be avoided. If the applicant does not believe that LUPA BIO-RIPWET-1 is applicable, please provide an explanation supporting that determination. All figures should clearly distinguish areas that will be avoided, including applicable buffers, from areas proposed for direct disturbance. The distinction is necessary to facilitate evaluation of potential and indirect impacts to jurisdictional vegetation communities.
6. Please provide documentation from the USACE verifying the Aquatic Resources Report and Aquatic Resources Report Addendum or provide the associated Approved or Preliminary Jurisdictional Determination if one has been issued.

The Data Request Response to REV 1 DR BIO-2 stated that all GIS data for the Perkins JD and LSAA were provided in Attachment B. Although GIS data has been provided, uncertainty remains if the most current files were provided to review in conjunction with the updated permit applications.

REV 2 DR BIO-2. Please provide individual application packages that include the application, all associated attachments, and current GIS files for each application (LSAA, WDR, and Incidental Take Permit (ITP)).

The Data Request Responses to DR BIO-25 and REV 1 DR BIO-12 include supplemental compensatory information for impacts to flat-tailed horned lizard (*Phrynosoma mcallii*) for 477 of the proposed 6,000-acres of the project site; however, CEC staff and CDFW still have concerns regarding the scarcity/availability and quality of flat-tailed horned lizard mitigation for the remaining acres that will be impacted. Additionally, the responses do not include enforceable commitments or financial assurances to ensure that the required mitigation will be secured and implemented.

REV 2 DR BIO-3. Please provide the following:

1. Propose an enforceable mitigation measure for CEC staff's review that could be incorporated into a condition of certification that requires that, prior to acquisition and/or implementation of compensatory mitigation, the applicant prepare a biological analysis demonstrating that the proposed mitigation lands are biologically equivalent or superior to the impacted habitats for all acres of flat-tailed horned lizard on the project site. At a minimum, the analysis should compare flat-tailed horned lizard occupancy, population density, habitat quality, and other appropriate habitat attributes (e.g., harvester ant abundance, where applicable) between the impact area and the proposed mitigation lands.
2. Given the limited availability of suitable flat-tailed horned lizard mitigation lands and the uncertainty associated with future land acquisition, provide proposed financial assurance sufficient to ensure the required compensatory mitigation can be fully acquired and implemented when land becomes available.
3. If land acquisition is not likely feasible to provide compensatory mitigation for all impacts to flat-tailed horned lizard and its habitat, please provide an alternative compensatory mitigation plan that would adequately offset the project's impacts. The plan should identify specific measures that would provide a conservation benefit to flat-tailed horned lizard and its habitat and should include the proposed amount/extent of mitigation, location, implementation schedule, responsible party, funding mechanism, monitoring and success criteria.

As stated in REV 1 DR BIO-15, if an ITP would be requested by SDG&E for operation of the IP Perkins BAAH facility, staff will need the proposed avoidance, minimization, and mitigation measures for potential impacts to burrowing owl. While SDG&E is understood to be responsible for obtaining ITP coverage for burrowing owl for operation of the project, CEC staff and CDFW are requesting these measures for incorporation into the Staff Assessment. Staff also requested in REV 1 DR BIO-15 to provide the anticipated schedule for SDG&E to apply for take coverage and submit an ITP application to CDFW.

REV 2 DR BIO-4. Staff has the following requests:

- Provide the proposed avoidance, minimization, and mitigation measures for burrowing owl impacts.
- Provide the anticipated schedule for SDG&E to request take coverage and submit an ITP application to CDFW.

WATER RESOURCES

Section 2.3.3, under the *Construction Water Supply and Use* subsection, Page 2.3-25 of the application (TN254456), estimates construction water use at 1,000 acre-feet (AF) over a 24-month period, or 500 acre-feet per year (AFY). Section 2.3.4, under the *Operational Water Supply and Use* subsection, Page 2.3-31 of the application (TN254456), estimates operational water use for panel washing and potable and sanitary supply for operations and maintenance staff at 50 acre-feet per year (AFY). Both construction and operational water demand would be sourced by up to four onsite groundwater wells, although trucking water from an offsite water purveyor is also cited as an alternative.

The water supply assessment (WSA) for the project included in Part 3 of Data Request Response Batch 3 (TN262217) concludes with respect to impact of construction water demand on the Imperial Valley Groundwater Basin (7-030); "*The modeled zone of influence of 2 years of Project construction pumping (500 AFY) is minimal. The model estimates an approximately 1,500-foot radius cone of depression out to 0.1 feet of drawdown, with approximately 0.24 feet of drawdown at the Project Well*".

However, CEC staff has reviewed a well completion report (DWR No. 17S17E03C) for an Imperial Irrigation District (IID) well installed as a water system back-up in 2014, near Drop 4 of the All-American Canal. This well was completed to a depth of 98 feet below ground surface (bgs) and screened in the upper aquifer from 43 – 97 feet bgs. Groundwater was first encountered at 27 feet bgs and stabilized at 29 feet bgs. In April 2014 during a 24-hour constant rate pump test, well yield was estimated at 75 gallons per minute (GPM) with 29 feet of drawdown (DWR 2026).

If the data from this well is indicative of the groundwater conditions at the site, one of two groundwater extraction wells could provide operational water demand. It is doubtful that even four groundwater extraction wells would satisfy the construction water demand of 1,000 AF since a sustained pumping rate of 310 GPM would be required.

Moreover, groundwater elevations in two USGS monitoring wells (324216115051101 and 324242115073501) near the project area have declined over 20 feet since 2008 (SWRCB 2026)

REV 2 DR WATER-1. Given the performance of the IID well close to the proposed project and the decline of groundwater elevation in the project area, please explain why the construction water demand of 1,000 AF would not be an impact to the Imperial Valley groundwater basin in the East Meas area. In addition, please explain why the groundwater modeling used for the WSA predicted a drawdown of 0.24 feet for construction use pumping, while the drawdown in the nearby IID well was 29 feet at a rate of 75 GPM.

References

DWR 2026 – California Department of Water Resources (DWR). Well Completion Report Map Application. Last updated on February 25, 2026. Available online at:

<https://www.arcgis.com/apps/webappviewer/index.html?id=181078580a214c0986e2da28f8623b37>

SWCRB 2026 – California State Water Resources Control Board (SWRCB). SMGA Data Viewer online map application. Updated daily. Available online at:
<https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#currentconditions>

WORKER SAFETY

Identification of the specific BESS and its safety testing documentation is necessary for staff to evaluate the facility's fire and explosion hazards, and under the Opt-In process that review belongs to the Energy Commission as chief building official and lead permitting agency rather than to a later Fire Marshal review. Staff have requested this information in DR WS-3, REV1 DR WS-1, and REV2 DR WS-1. The first two requests both deferred a response to Fire Marshal review, and REV2 DR WS-1 remains outstanding. The April 2026 response (TN269551, Section 2.10.1) identifies no BESS and states that the date of UL 9540A testing "is not known at this time." The same April 2026 filing identifies the BESS elsewhere. In response to REV 1 DR GHG-1 (Section 2.4), the response states that "The BESS would include 1,705 Tesla Megapack 2XLs." The response to REV 1 DR PH-2 (Section 2.7.2) states that "The UL 9540A Report is confidential" and that data from that report was used to prepare the Supplemental Air Quality Analysis for a BESS thermal runaway event. That Analysis derives emissions from "the UL 9540A report for the specific batteries proposed at the Project site," and identifies a Fire Protection Engineering and UL 9540A Interpretation Report as Attachment A, which was marked confidential and not filed. The greenhouse gas and public health analysis therefore reflects a specific manufacturer, model, and unit count, while the sections evaluating worker safety, fire, and explosion hazards contain no product identification, listing, or test documentation. Without this information, staff cannot evaluate the proposed BESS fire prevention approach

REV 2 DR WS-6. In responding to REV 2 DR WS-1, which requested the battery manufacturer and model and UL 9540A documentation and remains outstanding, please confirm whether the Tesla Megapack 2XL identified in the response to REV 1 DR GHG-1 is the BESS proposed for the project. If so, please also provide the manufacturer's full equipment specifications, the UL 9540 listing and the UL 9540A test report, a demonstration of compliance with the current published editions of the California Fire Code and NFPA 855, and a site layout showing the proposed equipment location, arrangement, and separation distances in relation to the tested configuration. If the Tesla Megapack 2XL is not the proposed BESS, please identify the BESS proposed for the project and provide the same information.

REV 2 DR WS-7. Please reconcile the statements that the battery type is not yet determined and that the date of UL 9540A testing is not known with the statement that a UL 9540A report exists for the specific batteries proposed at the project site.

REV 2 DR WS-8. Please provide Attachment A to the Supplemental Air Quality Analysis, the Fire Protection Engineering and UL 9540A Interpretation Report, which was marked confidential but has not been filed. If the applicant seeks to maintain the document as confidential, please file it with an application for confidential designation under 20 CCR Section 2505 so that staff may review it.

Identification of the specific PV panels and racking proposed for the project, along with their supporting certifications and listings, is necessary for staff to evaluate the facility's fire and safety hazards. The application specifies First Solar Series 7 PV panels as an option for installation at the project; however, no specific commitment is made in the application. Additionally, the specific type of solar racking was unspecified, deferring to a future decision. Both the modules and the mounting system require product safety listings, including a system-level fire classification.

REV 2 DR WS-9. Please identify the specific PV panels and racking or mounting system proposed for the project, including manufacturer and model, and provide the applicable product safety listings, including the PV module listing (UL 61730 or UL 1703), the mounting system listing (UL 2703), the solar tracker listing (UL 3703) if trackers are used, and the system-level fire classification.

Reliable fire detection and alarm capability is critical to protecting workers, emergency responders, and the surrounding community during a BESS fire, and staff must be able to evaluate the proposed system to determine its adequacy. The application states that compliance with NFPA 855 requires compliance with NFPA 72 (along with other NFPA guidance documents, TN254459, Page 4.16-12), and that the BESS yard would have thermal detection cameras that "will be remotely monitored 24 x 7" (TN254456, Page 2.3-33). Compliance with NFPA 72 has not been presented for staff review.

REV 2 DR WS-10. Please describe how the BESS fire detection and alarm system would comply with NFPA 72, including but not limited to the fire alarm control unit, the initiating and notification devices, the supervising station arrangement including who monitors the system and from what location, the secondary power supply, and the path and timing for notifying the responding fire department.

REV 2 DR WS-11. In the BESS site plan requested in REV 2 DR WS-2, which remains outstanding, please include the number, type, and location of the fire detection devices serving the BESS, including the thermal detection cameras and any fire alarm initiating devices, and state the detection coverage achieved.

A fixed water source of adequate volume and flow, fire loops, and hydrant placements are standard requirements for a BESS facility under the current published editions of California Fire Code and NFPA 855 and are typically required by local fire departments. No fire water system is described in the application: Section 2.3.2 (TN254456, Page 2.3-15) defers the BESS emergency water tank details, Section 4.17 (TN254459, Page 4.17-18) commits only to portable extinguishers and unspecified "additional water," and the water discussions at Pages 2.3-25 and 2.3-31 (TN254456) include no allocation for fire protection. Staff requested these details twice, in DR WS-3 (July 2024) and REV1 DR WS-3, and the April 2026 response (TN269551, Page 34) again defers tank size, number, and location to final design and to review by "the local or State Fire Marshal." The Energy Commission is the chief building official for the facilities it licenses, so that review cannot be deferred, and with no municipal water connection and reported response times of 30 to 36 minutes (REV1 DR WS-2), onsite water is the controlling factor in an incident.

REV 2 DR WS-12. In the BESS site plan requested in REV 2 DR WS-2, which remains outstanding, please include the fire protection water supply design for the BESS, the O&M facility, and the solar field, including the source of water, the stored volume of a fixed water source, a fire water loop and hydrant locations, a flow of at least 2,500 gpm and its duration, and how supply and pressure would be maintained during a power or well outage.

REV 2 DR WS-13. Please confirm that the fire protection water volume would be dedicated and independent of the water used for panel washing, dust control, and domestic purposes.

REV 2 DR WS-14. DR WS-14. Please state whether the Imperial County Fire Department has been contacted regarding the fire protection design, as requested in REV1 DR WS-3, and provide the date and outcome of that contact. Additionally, please update Appendix E.1 with any additional contacts that are made.

The application materials propose two generators producing up to 150 kilowatts (kW) each and 1,600 gallons of liquid propane (LP) in a pressurized tank at the O&M facility (TN254458, Table 4.5-1 and data request responses). The location of the LP-gas generators and the number of associated propane tank(s) is unclear to staff. Propane is a significant fire and explosion risk if not managed appropriately, and staff need to understand the location(s) and the approach for storage.

REV 2 DR WS-15. Please describe the number and location of the proposed propane storage tank(s), depict these on the site plan requested in REV 2 DR WS-2, and describe the fire and explosion protection approach for the generators and LP storage tank(s), including compliance with the applicable codes (e.g., 2024 NFPA 58 and the 2025 California Fire Code, Chapter 61), separation distances,

vehicle impact protection, relief valve discharge location, leak detection and emergency shutoff provisions, and ignition source controls.

REV 2 DR WS-16. In the Fire Management and Prevention Plan (FMPP) requested in REV 2 DR WS-3, which remains outstanding, please identify propane as a major fire hazard and describe the response to an LP-gas leak, fire, or vessel failure.

Onsite fuel storage during construction and operation must conform to applicable fire-protection LORS for staff to evaluate the project's fire safety. Imperial County Codified Ordinances Chapter 8.20 prohibits the storage of Class I and II liquids in above-ground tanks outside of buildings (Section 8.20.010(C)(3) and (C)(4)). Several tables within the application (e.g., Table 4.5-1) state that diesel will be stored onsite in above-ground storage tanks, which are prohibited if the liquid is a Class I or Class II liquid. The application does not address conformance with these provisions.

REV 2 DR WS-17. Please clarify the diesel storage methods proposed for the construction and operation phases, and describe what measures are planned for fire protection.

REV 2 DR WS-18. Please explain how the proposed storage conforms to the fuel storage provisions of Imperial County Chapter 8.20.

An emergency response plan (ERP) and emergency action plan (EAP) are required for staff to evaluate how the project will protect workers, emergency responders, and surrounding communities during a BESS emergency. SB 38 (Laird), SB 283, and current published edition of NFPA 855 require an emergency response plan that addresses equipment failure response and the safety of surrounding residents, neighboring properties, emergency responders, and the environment. Additionally, coordination with local emergency management agencies, the Certified Unified Program Agency (CUPA), or local first responders, and associated contact information was not located within the application.

REV 2 DR WS-19. Please provide separate EAP and ERP details for the construction and operation phases and explain how the ERP satisfies the applicable requirements of SB 38, SB 283, and current published edition of NFPA 855.

REV 2 DR WS-20. Please describe how the plans were developed in coordination with local emergency management agencies, the CUPA) and local first responders, and provide the name and contact information of those coordinated with.

An adequate Fire Management and Prevention Plan (FMPP) that explains how a BESS fire would be handled is necessary for staff to evaluate the project's fire safety and emergency response. The FMPP provided in TN254403 App I.2 does not adequately explain how a BESS fire would be managed. Section 6 does not meet the applicable standards for the ERP (see DR WS-14). In addition, the notification procedures described are unclear. Section 5.2 states that all fires shall be reported immediately to fire authorities, while Section 6 indicates that an onsite fire would not immediately trigger notification of the local fire authorities unless "an emergency threatens public or worker health," and would instead be reported first to the Site Supervisor and/or the Management Team. The same notification-chain concern also appears in the Security and Emergency Preparedness Plan (SEPP, TN254403 App I.5) which prevents staff from evaluating how emergencies at the BESS facility would be handled. For example, Section 4.7 directs that large fires first be reported to management which could delay response. Section 4.8 addresses explosions but appears not to require emergency services intervention unless a fire is also present.

REV 2 DR WS-21. Please revise the FMPP to resolve the inconsistency between Section 5.2 and Section 6 regarding fire-authority notification (and elsewhere in the application, as appropriate) and clearly describe the procedures and timing for notifying local fire authorities of an onsite fire or explosion.

REV 2 DR WS-22. Please revise the SEPP to provide consistent notification and response procedures, including for large fires (Section 4.7) and explosions (Section 4.8) (and elsewhere in the application, as appropriate), and clearly describe the procedures and timing for notifying local fire authorities of an onsite emergency.

The application does not contain overarching fire response procedures for the facility, making staff review of fire response difficult. Inconsistent references to Bureau of Land Management (BLM), Bureau of Reclamation (BOR), CAL FIRE, Imperial County Fire Department and El Centro Fire Department responding to an incident are listed across the submitted documents. Subsection 4.13.3 of the SEPP (TN254403 App I.5) titled "Fire Response," within the Flash Flood section appears to be the only reference to fire response and describes the effects of a flash flood on fire protection and response rather than how an onsite fire would be detected, contained, or handled; it also directs the reader to a Section 5.7 that does not exist in the plan.

REV 2 DR WS-23. Please provide a consistent fire response plan for the facility describing how an onsite fire (wildfire, BESS, HAZMAT, or solar array) would be detected, contained, and extinguished, and by what agency specifically for each fire type, including agency-stated response times (not estimates). Please include these specifics in the FMPP requested in REV 2 DR WS-3, the SEPP (and elsewhere in the application, as appropriate).

Throughout the application text, multiple statements inconsistently indicate that the FMPP would be developed in coordination with BLM, BOR, CAL FIRE, and the Imperial County Fire Department, to identify fire hazards and response scenarios, first-responder training, notification, and annual training exercises. The agencies named vary across the submitted documents, and as written, PDF FIRE-1 does not identify the Imperial County Fire Department as a partner, which is inconsistent with those statements and complicates staff review. Additionally, the FMPP outlines provided in Worker Safety Section 4.17.2 (TN254459, Page 4.17-12) for the construction phase, and Section 4.17.2 (Page 4.17-15) for the operation and maintenance phase should be included in the FMPP to facilitate a thorough staff review.

REV 2 DR WS-24. Please revise PDF FIRE-1 to identify the fire agency or agencies that were coordinated with, reviewed, and helped develop the FMPP, including their names and contact information.

REV 2 DR WS-25. In the FMPP requested in REV 2 DR WS-3, which remains outstanding, please include the elements listed in the construction-phase outline and the operation and maintenance phase outline.

Staff cannot determine the adequacy of worker and first responder protection against electrical hazards without an analysis that covers the facility as a whole. Impact WS-1 (TN254459, Section 4.17.2, Page 4.17-2) addresses electric hazards for the gen-tie, BAAH switchyard, and loop-in transmission lines, but the PV array, DC collection system, and BESS are not analyzed. The application does not contain a DC side arc flash impact analysis, a lockout and tagout (LOTO) program, or PV equipment listing standards. The DC portions warrant specific attention since PV circuits remain energized whenever the array is illuminated and are not de-energized by opening a disconnect, which affects both maintenance work and fire response.

REV 2 DR WS-26. Please extend the electrical hazard analysis to include the PV array, DC collection system, and BESS, addressing shock, arc flash, ground fault hazards for each, and describe the measures in place to mitigate these hazards.

REV 2 DR WS-27. Please elaborate on the electrical safety program for the construction and O&M phases, including, but not limited to, discussions LOTO for AC and DC equipment, the procedures for work on or near energized parts that cannot be de-energized, and the qualification and training requirements for personnel performing that work.

Identification of the potable water supply during O&M is necessary for staff to evaluate whether drinking water would be available to the operations workforce. The application states the O&M facility water supply is “anticipated to be from an on-site groundwater well” (TN254456, Page 1-9), and Section 4.15 (TN254459, Page 4.15-3) describes much of the basin’s groundwater as “undesirable because of high TDS concentrations”. No treatment, testing, or alternative potable supply is described, and it is not stated whether the O&M facility water tank would store potable water. Cal/OSHA requires potable water in adequate supply in all places of employment (8 CCR 3363(a)). The application also states the on-site workforce would peak at approximately 1,000 individuals, averaging 700 during construction (TN254456, Page 2-3-24). Given the outdoor setting and high ambient temperatures, an adequate potable water supply for this workforce is necessary for staff to evaluate worker safety. Under the one-quart-per-employee-per-hour requirement of 8 CCR 3395, at least 2,000 gallons of potable water per 8-hour shift would be needed at peak staffing.

REV 2 DR WS-28. Please confirm whether the O&M facility water tank is intended to store potable water, and describe the potable water supply for the operations workforce, including the source and, if on-site groundwater is used, the treatment and testing that would ensure it meets the potability requirements of 8 CCR 3363, 3361, and 3395.

REV 2 DR WS-29. Please describe the potable water supply for the construction workforce, including the source, treatment if on-site groundwater is used, and how the supply meets the requirements of 8 CCR 1524 and 3395.

It is unclear to staff whether the project has been evaluated against all applicable laws, ordinances, regulations, and standards (LORS). Several requirements are named in the application text with a statement of conformance, but without explanation of how conformance would be achieved, and they do not appear in the LORS tables provided in Section 4.17 (TN254459) and Table 10 of Response Set 1 (TN257953). Examples include NFPA 855, NFPA 68/69, NFPA 72, SB 38, several UL listings, California Fire Code (CFC), and Imperial County Fire Department CFC amendments (Chapter 8.20), among others. A complete and detailed LORS listing is necessary for staff to verify that all relevant requirements have been evaluated.

REV 2 DR WS-30. Please provide a comprehensive list of LORS applicable to the project related to worker safety and fire protection, including onsite fuel sources such as propane, diesel, and gasoline storage, and those named in the application text but not listed in the LORS tables, including a discussion of their applicability and conformance and specific section and page references where compliance with each is addressed during both the construction and operation phases.