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| **Document Title:** | Data Requests Set 3 for RB Inyokern Data Center (26-SPPE-01) |
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| **Filer:** | Marichka Haws |
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October 20, 2026

R&L Capital Inc. LLC
C/O Kyle Mohr
P.O. Box 9071
Trona, California 93592

**Data Requests Set 3 for RB Inyokern Data Center (26-SPPE-01)**

Dear Mr. Mohr:

Pursuant to California Code of Regulations, Title 14, §15084(b) and Title 20, §1941, the California Energy Commission (CEC) staff is requesting the information specified in the enclosed Data Requests Set 3, which is necessary for the staff analysis of the RB Inyokern Data Center (RBIDC or project) (26-SPPE-01). The proposed RBIDC project, located in the city of Inyokern, Kern County, includes forty (40) diesel-fired generator sets that would be used exclusively to provide up to 99 megawatts (MW) of backup emergency electric generation during utility outages to support the on-site data center operations. The RBIDC emergency backup electric generating facility would not be interconnected to the transmission or distribution grid, nor would the facility participate in demand response, peak shaving, or any grid-support operations.

This Data Requests Set 3 seeks further information in the areas of Hazards and Hazardous Materials based on the contents of the application submitted thus far. CEC staff may submit subsequent data requests in these, and other resource areas based on further information received or as necessary for a complete analysis of the proposed project.

To assist CEC staff in completing its environmental review timely and meeting the requirements of the California Environmental Quality Act (CEQA) per California Code of Regulations, Title 14, Sections 15108 and15109, CEC staff is requesting responses to the data requests within 30 days. If you are unable to provide the information requested or need to revise the timeline, please send written notice to me within 10 days of receipt of this letter.

If you have any questions, please email me at Elizabeth.Huber@energy.ca.gov.

Elizabeth Huber
Project Manager

Enclosure: Data Requests Set 3

# RB INYOKERN DATA CENTER
# DATA REQUESTS SET 3

## HAZARDS AND HAZARDOUS MATERIALS

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California Code of Regulations, title 20, Appendix B (g)(1) requires a discussion of the existing site conditions at the project site and associated project components. The application includes a Phase I Environmental Site Assessment (ESA) as Appendix J.1 (TN 269640). A Revised Phase I ESA was conducted in January 2026 in accordance with ASTM 1527-21 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process) by BSK Associates (BSK) for the RB Inyokern Data Center (RBIDC) project site. The RBIDC project site is defined in the Phase I ESA as an approximately 55.54-acre property located along State Route 178 near Inyokern, California.

The Phase I ESA (TN 269640) for the RBIDC project site mentions the former structure identified in the 1943 topographic map, which identifies the potential for termiticide and/or lead-based paint to be present on the RBIDC project site, which is identified as an on-Subject Property Recognized Environmental Condition (REC). However, the Phase I ESA (TN 269640) does not include a discussion of whether termiticide / pesticide, lead-based paint, or asbestos-containing materials associated with the former structure have been investigated or documented associated with the former use of the RBIDC project site.

> **DR HAZ-1.** Provide documentation related to the former structure identified on the 1943 topographic map (Phase I ESA), including any available records of termiticide / pesticide, lead-based paint and/or asbestos-containing material sampling or surveys.

The Phase I ESA TN 269640) for the RBIDC project site identifies two former oil tanks shown on the 1943 topographic map located near the southwest corner of the Subject Property, which qualify as an off-Subject Property REC. Based on a review of aerial photographs and topographic maps, the tanks appear to have been removed by approximately 1972. However, the Phase I ESA (TN 269640) does not include a discussion of the tank contents, whether removal was properly documented, or whether any associated releases or remediation activities have occurred.

> **DR HAZ-2.** Provide documentation related to the former oil tanks identified on the 1943 topographic map (Phase I ESA), including tank contents, and any removal or closure records, including potential petroleum product releases.

Additional information is requested to evaluate whether any regulatory oversight, documented releases, or site investigations have been conducted at the project site or in association with identified on-site and off-site RECs that may affect environmental conditions at the project site.

**DR HAZ-3.** Provide correspondence with regulatory agencies (e.g., RWQCB, DTSC, County Environmental Health, or Fire Department), including case files, directives, or closure documentation related to the site or nearby identified recognized environmental condition.

**DR HAZ-4.** Provide any Phase II Environmental Site Assessments or other subsurface investigation reports for the Project Site.

On page 460 of the SPPE Application (TN 269893), it states "An apparent approximately 200 by 350-foot pit is visible in the aerial photographs from the mid-1980s through the present. The pit was reportedly associated with the development of the off-ramp adjacent to the eastern boundary of the pit (Terracon, 2015)." More information is required to evaluate potential hazards and hazardous materials.

**DR HAZ-5.** Provide information regarding the on-site pit, including its origin, excavation details, depth, backfill materials (if applicable), and any associated environmental investigations or testing.

California Code of Regulations, title 20, Appendix B, section (g)(10)(A) requires a list of all hazardous materials to be used or stored on site, with quantities, storage locations and toxicity. Section 4.9.5 of the SPPE Application (TN 269893) states that Tables 4.9-2 and 4.9-3 "will be completed following final engineering and are provided as conceptual design-phase placeholders."

**DR HAZ-6.** Provide the construction-phase hazardous materials inventory (Table 4.9-3), with estimated maximum quantities stored on site at any one time and their storage locations.

**DR HAZ-7.** Provide a complete hazardous materials inventory for project operation, including for each material the chemical name and CAS number, the maximum quantity stored on site, the container type and size, the storage location (shown on a site plan), the hazard classification and toxicity (including whether the material is an acutely hazardous material), the method of delivery, and the estimated number of deliveries per year.

On page 19 of the SPPE Application (TN 269893), it states, "each generator features a built-in day tank with connections to centralized on-site fuel storage tanks," and Sections 4.3, 4.9, and 4.11 similarly state that each generator will have built-in fuel tanks. The application does not identify the capacity of these tanks; therefore, the total quantity of diesel fuel that would be stored on site cannot be confirmed.

**DR HAZ-8.** Provide the capacity of each generator's built-in day tank and the total maximum quantity of diesel fuel that would be stored on site.