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Description:	N/A
Filer:	Kyle Mohr
Organization:	R&L Capital Inc
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RB INYOKERN DATA CENTER

Application for Small Power Plant Exemption (SPPE)

Inyokern, Kern County, California

Docket Number – 26-SPPE-01

RB Inyokern Data Center - Applicant Responses to Data Requests Set 3

October 30, 2026

Elizabeth Huber
Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, California 95814

Re: Response to Data Requests Set 3, RB Inyokern Data Center (26-SPPE-01)

Dear Ms. Huber:

On behalf of R&L Capital, Inc., the undersigned submits the enclosed responses to CEC Data Requests Set 3, dated October 20, 2026, for the RB Inyokern Data Center (Docket No. 26-SPPE-01).

Responses to all data requests are provided in the enclosed response document, organized by resource area consistent with the Data Requests Set 3 format. Supplemental documents referenced within the responses have been submitted separately to the CEC docket via the project portal and assigned new Transmittal Numbers identified within the applicable responses. Where information is not yet available at the conceptual design stage, responses identify the relevant items and commit to providing supplemental information upon completion of final engineering consistent with Section 3.2 of the Main Application (TN 269893).

The Applicant remains committed to supporting CEC staff's timely completion of its environmental review and is available to discuss any questions regarding the enclosed responses.

Respectfully submitted,

Kyle Mohr
Authorized Representative
On behalf of R&L Capital, Inc.

Enclosure:
Data Response Set 3, RB Inyokern Data Center (26-SPPE-01)

HAZARDS AND HAZARDOUS MATERIALS

Author: Jennifer Knipper
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 E1527-21 (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.

R&L Response

DR HAZ-1. The former structure was identified in the Revised Phase I Environmental Site Assessment (Appendix J.1, TN 269640) from a review of the 1943 historical topographic map and was characterized as an on-Subject Property Recognized Environmental Condition (REC) reflecting the potential for termiticide and/or lead-based paint associated with the former structure. The former structure is not present under current Site conditions. No records of termiticide or pesticide, lead-based paint, or asbestos-containing material sampling or surveys for the former structure were identified in the materials reviewed for the Phase I ESA or are held by the Applicant. Sampling and analytical testing for these materials, including lead-based paint, asbestos-containing material, and pesticides, are non-scope issues under ASTM E1527-21 and were not performed as part of the Phase I ESA.

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, orwhether 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.

R&L Response

DR HAZ-2. The former oil tanks were identified in the Revised Phase I Environmental Site Assessment (Appendix J.1, TN 269640) from a review of the 1943 historical topographic map as an off-Subject Property Recognized Environmental Condition (REC) near the southwest corner of the Subject Property, reflecting a potential petroleum product release. Based on BSK's review of historical topographic maps and aerial photographs, the former oil tanks are no longer visible by approximately 1972 and appear to have been removed. No documentation of the tank contents, and no removal or closure records, were identified in the materials reviewed for the Phase I ESA or are held by the Applicant. The regulatory records review conducted for the Phase I ESA, using the EDR Radius Map Report, the DTSC EnviroStor database, and the RWQCB GeoTracker database, did not identify any documented petroleum product release, case file, or remediation associated with the former oil tanks.

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.

R&L Response

DR HAZ-3. The regulatory records review conducted for the Revised Phase I Environmental Site Assessment (Appendix J.1, TN 269640) did not identify any regulatory agency case, correspondence, directive, or closure documentation for the Subject Property, and the Applicant holds no such documentation. For conditions in the vicinity, the same review identified one off-Subject Property Controlled REC, the Kern County Roads Department (1533 2nd Street), based on a past leaking underground storage tank release for which the State Water Resources Control Board GeoTracker case has been closed; the other identified recognized environmental conditions in the vicinity were not associated with documentation of a release. The regulatory database review supporting these determinations is contained in the Phase I ESA (TN 269640); the Applicant did not obtain, and does not hold, the underlying agency case files or closure correspondence.

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.

R&L Response

DR HAZ-4. Based on the Applicant's review of available records, the Applicant has not located a

Phase II Environmental Site Assessment or other subsurface investigation report for the Project Site. The Revised Phase I Environmental Site Assessment (Appendix J.1, TN 269640) concluded, based on its findings, that a Phase II ESA was not recommended. The preliminary soil and geology evaluation for the Project (Appendix K.1, TN 269611) was a site reconnaissance and desktop review that did not include subsurface characterization. During site disturbance, any encountered suspect contaminated materials would be handled as required by Kern County and Eastern Kern Air Pollution Control District applicable ordinances and rules.

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."

R&L Response

DR HAZ-5. The pit referenced in Data Request HAZ-5 is documented in the Phase I Environmental Site Assessment prepared by Terracon Consultants, Inc. for the adjacent solar site, dated June 26, 2015 (Terracon Project No. 60157801). The portion of that report characterizing the pit is provided to the Commission as a supporting excerpt (TN 273295). As documented in that excerpt, the pit was observed during Terracon's visual site reconnaissance, with approximate areal dimensions of 200 feet by 350 feet and no water present. The feature is located near the Project site and is not on the data center facility parcels. The Terracon report attributes the pit to excavation during construction of the adjacent Highway 395 off-ramp. The report does not quantify a discrete excavation depth beyond the areal dimensions and does not describe backfill of the pit. No subsurface investigation, sampling, or analytical testing of the pit was conducted. Terracon observed no discharges or indications of a potential release of chemicals or petroleum hydrocarbons in the area of the pit and concluded that the pit does not represent a recognized environmental condition.

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.

R&L Response

DR HAZ-6. The construction phase hazardous materials inventory is provided as Table HAZ-6 in the Hazardous Materials Inventories Supplement (TN 273295). Table HAZ-6 provides the information identified as a conceptual placeholder in Table 4.9-3 of the Application (TN 269893), consistent with the supplement commitment in the note to Table 4.9-3, MM 4.9-3, and Section 3.2. For each construction phase hazardous material, Table HAZ-6 identifies the estimated maximum quantity stored on site at any one time, storage type and location, waste classification, and management pathway. Quantities reflect the conceptual design stage of the Application. Each value is identified as stated in the Application, derived from Application values, limited to an applicable regulatory threshold, or pending final engineering. Final quantities will be confirmed in the hazardous materials inventory required prior to construction under MM 4.9-3.

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.

R&L Response

DR HAZ-7. The operations phase hazardous materials inventory is provided as Table HAZ-7 in the Hazardous Materials Inventories Supplement (TN 273295). Table HAZ-7 provides the information identified as a conceptual placeholder in Table 4.9-4 of the Application (TN 269893), consistent with the supplement commitment in the note to Table 4.9-4, MM 4.9-1, and Section 3.2. For each material, Table HAZ-7 identifies the chemical name and CAS number, maximum quantity stored on site, container type and size, hazard classification and toxicity, acutely hazardous determination, delivery method, and estimated deliveries per year. Storage locations are shown on Figure HAZ-7 of the same supplement. Quantities reflect the conceptual design stage of the Application. Each value is identified as stated in the Application, derived from Application values, limited to an applicable regulatory threshold, or pending final engineering under MM 4.9-1 and MM 4.9-3. Based on the conceptual design, no material is a CalARP regulated substance present above its threshold quantity, subject to the final screening required under MM 4.9-3(b).

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.

R&L Response

DR HAZ-8. Based on coordination with the generator package supplier, Quinn Company (the authorized Caterpillar dealer), each generator's built-in day tank (base tank) is sized at a capacity of 1,200 gallons, approximately 1,020 gallons usable, sized to allow each generator to operate for at least four hours of continuous operation without refueling. The 40 day tanks provide 48,000 gallons of integral storage in aggregate and are supplied from the centralized on-site diesel storage, consistent with Section 1.4.3 of the Application. The total maximum quantity of diesel fuel stored on site, inclusive of the centralized bulk storage and the generator day tanks, will not exceed 600,000 gallons, the aggregate storage capacity for which the Applicant has requested Kern County Fire Marshal approval under Kern County Code Section 18.80.030(T). Final sizing of the centralized bulk storage tanks and the day tanks will be confirmed with the generator package supplier during final engineering so that their combined capacity remains within this 600,000 gallon aggregate.