

DOCKETED

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CALIFORNIA ENERGY COMMISSION

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NOTICE OF DETERMINATION PETITION TO AMEND THE ELK HILLS POWER PROJECT (99-AFC-1C)

On November 20, 2015, Elk Hills Power, LLC (EHP) filed a petition with the California Energy Commission (Energy Commission) requesting to modify the Final Decision for the Elk Hills Power Project (EHPP). The 550-megawatt natural gas-fired combined-cycle, cogeneration project was certified by the Energy Commission in its December 2000 Decision (2000 Decision), and began commercial operation on July 23, 2003. The facility is located in western Kern County, west of Bakersfield, near the community of Tupman.

DESCRIPTION OF PROPOSED MODIFICATION

The proposed modifications include the installation of two 100 percent capacity vacuum pump skids to replace the present steam-jet based vacuum system. The system replacement would require a minor structural modification including a concrete slab and piping supports, and a building permit from the Kern County Building Department.

The new electric-motor-driven vacuum pump systems are an upgrade and are a more modern in-line system than current plant technology. This system is more effective at serving the intended function. The new vacuum pump system will reduce operational safety risk. The existing system has deteriorated and reduced operational reliability. The low maintenance on the new vacuum pump system should significantly reduce repairs and potential down time, helping the project maintain its originally-intended reliability.

The Energy Commission's webpage for this facility, <http://www.energy.ca.gov/sitingcases/elkhills/>, has a link to the amendment petition on the right side of the webpage in the box labeled "Compliance Proceeding." Click on the "Documents for this Proceeding (Docket Log)" option.

ENERGY COMMISSION STAFF REVIEW AND DETERMINATION

Energy Commission staff reviewed the petition for potential environmental effects and consistency with the Energy Commission Decision and applicable laws, ordinances, regulations, and standards (LORS). Energy Commission staff has determined that the proposed amendment would have no significant adverse impacts. In addition, the project modification would not significantly affect any population including the Environmental Justice population as shown in the attached **Environmental Justice Population Figure**. Staff's conclusions in each technical area are summarized in **Table 1**, below.

Table 1: Summary of Impacts for Each Technical Area

TECHNICAL AREAS REVIEWED	STAFF RESPONSE			Revised Conditions of Certification Recommended
	Technical Area Not Affected	No Significant Environmental Impact or LORS Inconsistency*	Process As Amendment	
Air Quality		X	N/A	N/A
Biological Resources	X		N/A	N/A
Cultural Resources		X	N/A	N/A
Efficiency	X		N/A	N/A
Facility Design		X	N/A	N/A
Geology & Paleontology		X	N/A	N/A
Hazardous Materials Management	X		N/A	N/A
Land Use		X	N/A	N/A
Noise & Vibration		X	N/A	N/A
Public Health	X		N/A	N/A
Reliability	X		N/A	N/A
Socioeconomics		X	N/A	N/A
Soil & Water Resources		X	N/A	N/A
Traffic & Transportation		X	N/A	N/A
Transmission Line Safety & Nuisance	X		N/A	N/A
Transmission System Engineering	X		N/A	N/A
Visual Resources		X	N/A	N/A
Waste Management		X	N/A	N/A
Worker Safety & Fire Protection		X	N/A	N/A

*The proposed modifications will not have a significant effect on the environment, and the modifications will not result in a change in or deletion of a condition adopted by the Energy Commission in the Decision, or make changes that would cause project noncompliance with any applicable laws, ordinances, regulations, or standards (Cal. Code Regs., tit. 20, § 1769 (a)(2).)

Staff has determined that the technical or environmental areas of Biological Resources, Efficiency, Hazardous Materials Management, Public Health, Reliability, Transmission Line Safety and Nuisance, and Transmission System Engineering are not affected by the proposed changes.

For the technical areas of Air Quality, Cultural Resources, Facility Design, Geology & Paleontology, Land Use, Noise & Vibration, Socioeconomics, Soil & Water Resources, Traffic & Transportation, Visual Resources, Waste Management, and Worker Safety & Fire Protection, staff has determined the amended project would continue to comply with applicable LORS and no changes are needed to any conditions of certification to ensure impacts would be less than significant. Staff notes the following for these technical areas:

AIR QUALITY

Air quality emissions will be from grading/construction of the slab and erection of the vacuum pump equipment. There will be approximately 12 workers and 5 vehicles over the estimated construction period of three weeks. Emissions are expected to be negligible, short-term, and would not result in significant impacts. The existing Air Quality Conditions of Certification continue to apply and no modification to them is needed.

CULTURAL RESOURCES

Staff consulted the Final Staff Assessment, which documents that 4-10 feet of native sediments were removed before bringing the project site to final grade. Existing Cultural Resource Conditions of Certification are sufficient to mitigate potential impacts.

FACILITY DESIGN

Implementation of the existing Facility Design Conditions of Certification adopted in the Final Commission Decision would ensure that the installation of the vacuum pumps would comply with the 2013 California Building Code and related engineering laws, ordinances, regulations, and standards.

GEOLOGY AND PALEONTOLOGY

The project site is underlain by the Tulare formation which has high paleontologic significance. During EHPP project construction these highly sensitive resources were encountered, documented, and preserved in accordance with Conditions of Certification **PAL-1** to **-7**. During project construction the site was graded using cut and fill techniques to create a level building pad. About half of the site appears to have been excavated into the Tulare formation exposing highly sensitive sediments. It appears from the Power Plant Site Grading Plan and Power Plant Site Drainage Plan (99-AFC-1, Figures 3.5-2 and 3.5-2A, respectively) the Tulare formation could be encountered during excavation for the slab and drilled shaft excavations for this project modification. Staff recommends the project owner be required to comply with **PAL-4** and consult with the project Paleontologic Resource Specialist and the CPM to determine whether the excavations should be monitored and to what extent. Contractors involved in grading activities should also be trained in accordance with **PAL-3**. If monitoring is conducted or sensitive paleontologic resources are encountered during excavation the project owner shall be required to implement the Paleontologic Resources Monitoring and Mitigation

Plan required in accordance with **PAL-2**. There are no other geologic resources at the site that would be impacted by the proposed project modification. In addition, compliance with local LORS and obtaining approval for a building permit from Kern County for the proposed project modification would ensure there are no impacts due to geologic conditions at the site and public health and safety would be ensured. The proposed activities would not result in a change or deletion of a condition adopted by the commission or make changes that would cause the project not to comply with any applicable LORS.

LAND USE

Condition of Certification **LAND-1** requires the project owner to comply with all applicable provisions of the Kern County Zoning Ordinance. The modified project would continue to comply with the Kern County Zoning Ordinance and the changes would not trigger any new LORS pertaining to site development.

NOISE AND VIBRATION

Construction work associated with installation of the vacuum pumps would not create an adverse noise impact since there are no nearby noise-sensitive receptors. The new pumps would replace a similar noise source, the present steam-jet based vacuum system, and thus, the noise impact associated with the overall plant operation would not change. Implementation of existing Noise Conditions of Certification **NOISE-2**, **NOISE-3**, and **NOISE-6** adopted in the Final Commission Decision would ensure continued compliance.

SOCIOECONOMICS

The installation of two vacuum pump skids will take approximately three weeks to complete and require approximately twelve workers. From a socioeconomics standpoint, the proposed amendment would have insignificant workforce-related impacts on housing and community services. The project modification would not affect the workforce of the Bakersfield Metropolitan Statistical Area (Kern County). It also would not affect Conditions of Certification **SOCIO-1** (school impact fees) and **SOCIO-2** which requires funding to purchase a new ladder truck and the first year of funding for 1) nine new positions and 2) a replacement ladder truck.

SOIL & WATER RESOURCES

The proposed construction would not result in any additional environmental impacts in terms of soil and water resources in comparison with the original analysis for the approved project provided the project owner complies with existing Conditions of Certification **SOIL&WATER-2**, **-3** and **-4** where necessary. Where excavation and grading have the potential to erode and result in on or offsite impacts, the project owner should be required to implement site management methods identified in the approved erosion control and re-vegetation plan developed in accordance with **SOIL&WATER-2** for the original project construction. The project owner should also ensure that the

discharges of storm water runoff from the excavations and construction comply with the General Industrial Activity Permit required in accordance with **SOIL&WATER-3**. The project owner shall also ensure that water use for construction does not exceed the limit set in **SOIL&WATER-4**. The proposed activities would not result in a change or deletion of a condition adopted in the Final Commission Decision and subsequent approved amendment or make changes that would cause the project not to comply with any applicable LORS.

VISUAL RESOURCES

The location of the vacuum systems is not visible from offsite locations because the existing power plant infrastructure obscures views. At approximately 8 feet in width, 12 feet in length, and 12 feet in height, the proposed vacuum pump system would be of similar size and shape as the existing steam-jet based vacuum system. Therefore, the replacement components would not have the potential to substantially alter any views. The proposed modifications would be required to meet the conditions under **VIS-1** to make the color of the equipment match the existing facility color.

WASTE MANAGEMENT

The proposed activities would not result in any additional waste management impacts. Approved Condition of Certification **WASTE-3** would apply to the proposed petition. **WASTE-3** requires that waste generated during construction is tracked and disposed at the proper facilities. The project owner would be required to comply with this condition of certification for the proposed construction activities. The proposed activities would not result in a change or deletion of a condition adopted by the Energy Commission or make changes that would cause the project not to comply with any applicable laws, ordinances, regulations, or standards.

WORKER SAFETY AND FIRE PROTECTION

With ongoing compliance with existing conditions of certification, the proposed installation of two vacuum pumps would not have a significant effect on the environment and would continue to comply with all applicable LORS. The short duration for the installation of the vacuum pumps shall comply with worker safety and fire safety measures contained in health and safety plans utilized for construction of the main facility already in place per Condition of Certification **SAFETY-1**.

ENERGY COMMISSION STAFF DETERMINATION

Section 1769(a)(2) of Title 20, California Code of Regulations, states, “[w]here staff determines that there is no possibility that the modifications may have a significant effect on the environment, and if the modifications will not result in a change or deletion of a condition adopted by the commission in the final decision or make changes that would cause the project not to comply with any applicable laws, ordinances, regulations, or standards, no commission approval is required....”

Energy Commission staff has determined for this petition that:

- The modification[s] will not have any significant effect on the environment;
- Existing conditions of certification are sufficient to cover the proposed modification without changes to, or deletions of, any conditions of certification;
- The project as modified will maintain full compliance with applicable LORS; and,
- Pursuant to section 1769(a)(2) and based on staff's determinations, formal approval by the full Commission at a noticed Business Meeting is not required.

Any person may file an objection to staff's determination within 14 days of the date of this Notice on the grounds that the project modification does not meet the criteria set forth in Title 20, California Code of Regulations, section 1769(a)(2). Absent any objections, the amendment petition will be approved 14 days after this Notice is docketed. To use the Energy Commission's electronic commenting feature to object to staff's determination, go to the Energy Commission's webpage for this facility, cited above, click on the "Submit e-Comment" link, and follow the instructions in the on-line form. Be sure to include the facility name in your comments. Once submitted, the Energy Commission Dockets Unit reviews and approves your comments, and you will receive an e-mail with a link to them.

This Notice of Determination has been mailed to the Energy Commission's facility mail list of interested parties and property owners adjacent to the facility site. It has also been e-mailed to the facility listserv. The listserv is an automated Energy Commission e-mail system by which information about this facility is e-mailed to parties who have subscribed. To subscribe, go to the Energy Commission's webpage for this facility, cited above, scroll down the right side of the project's webpage to the box labeled "Subscribe," and provide the requested contact information.

Written comments may also be mailed or hand-delivered to:

California Energy Commission
Dockets Unit, MS-4
Docket No. 99-AFC-1C
1516 Ninth Street
Sacramento, CA 95814-5512

All comments and materials filed with and approved by the Dockets Unit will be added to the facility Docket Log and be publicly accessible on the Energy Commission's webpage for the facility.

If you have questions about this Notice, please contact Mary Dyas, Compliance Project Manager, at (916) 651-8891, or by fax to (916) 654-3882, or via e-mail at mary.dyas@energy.ca.gov.

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For information on participating in the energy commission's review of the petition, please call the public adviser at (800) 822-6228 (toll-free in california) or send your e-mail to publicadviser@energy.ca.gov. News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by e-mail to mediaoffice@energy.ca.gov.

Date: January 19, 2016

<< Original Signature on File >>

CHRISTINE ROOT

Compliance Office Manager

Siting, Transmission, & Environmental Protection

Division

Mail List 745
ElkHills listserv

ENVIRONMENTAL JUSTICE POPULATION - FIGURE 1

Elk Hills Power Project - Census 2010 Minority Population by Census Block - Six Mile Radius

