

## DOCKETED

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<b>Project Title:</b>	Puente Power Project
<b>TN #:</b>	206248
<b>Document Title:</b>	City of Oxnard's Data Requests, Set 3
<b>Description:</b>	Data Requests, Set 3 (Nos. 68-79) on behalf of the City of Oxnard submitted by the City of Oxnard
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<b>Submitter Role:</b>	Intervenor Representative
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October 1, 2015

John Chillerni, President  
NRG Oxnard Energy Center, LLC  
100 California Street, Suite 650  
San Francisco, California 94111

Re: Puente Power Project (15-AFC-01); Data Requests, Set 3 (Nos. 68-79)

Dear Mr. Chillerni:

Pursuant to Title 20, California Code of Regulations, section 1716(a), the City of Oxnard requests the information specified in the enclosed data requests. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts, 4) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 5) assess potential mitigation measures.

In this Set 3, Data Requests are being made in the technical area of Air Quality. Written responses to the enclosed data requests are due to the City staff on or before November 2, 2015.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice to the City and me within 20 days of receipt of this notice. The notification must contain the reasons for the inability to provide the information or the grounds for any objections (see Title 20, California Code of Regulations, section 17.16(f)).

If you have any questions regarding the enclosed data requests, please call me at (415) 552-7272.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Ellison Folk

Encl.

**STATE OF CALIFORNIA**  
**Energy Resources**  
**Conservation and Development Commission**

In the matter of:

Application for Certification of the  
**PUENTE POWER PROJECT**

DOCKET NO. 15-AFC-01

**CITY OF OXNARD'S DATA  
REQUESTS, SET 3**

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## **AIR QUALITY**

### **Background**

On September 3, 2015, NRG provided responses and objections to the City of Oxnard's First Set of Data Requests related to air quality emissions from the proposed P3 facility. NRG objected to the requests for certain Excel spreadsheets and technical data on the grounds that the information is confidential trade secret. NRG indicated it would provide at least some of this information subject to a nondisclosure agreement, but has not yet done so. The following data requests follow up on responses to the City's First Set of Data Requests and seek additional information and/or clarification of NRG's initial responses.

### **Data Request 68:**

In its Data Requests 5, 6, and 8, the City requested a copy of the formal vendor guarantee and any evidence that supports the emissions calculations used for the gas turbine. In response, NRG referenced the vendor letter included in Appendix C-2 to the AFC. This is not a formal vendor guarantee. Please provide a copy of the formal vendor guarantee, including all of the operating conditions under which the vendor guarantee is valid. In addition, please explain the experience upon which the Applicant is confident that the turbines will meet the emission limits throughout the life of the project. Please include in such response all evidence (such as stack tests) that demonstrates that the emission rate of 10.6 lb/hour used in emissions calculations has been achieved by the gas turbine in comparable operating modes. The applicant's assertion that it "does not possess the requested information," is not responsive. The applicant or the applicant's consultants can request this information from the vendor and collect it from air districts that have required stack tests on similar GE Frame 7 turbines. Further, the applicant's consultant, Sierra Research, who prepared this response, certainly has a large collection of responsive stack tests conducted on similar GE Frame 7 turbines. If such evidence is in the possession of GE or Sierra Research, please request this information from them.

### **Data Request 69:**

In response to Data Request 11, NRG referenced an emissions inventory from the Ventura Air Pollution Control District. Please provide a copy of the emission inventory that was relied upon to calculate the baseline data. Please provide any primary source data that you have to support these emissions factors, including actual stack tests for MGS Units 1 and 2. If such evidence is in the possession of GE or Sierra Research, please request this information from them.

### **Data Request 70:**

In Data Request 16, the City requested that the Applicant identify options to mitigate the net emission increase for ROC, PM10, and PM2.5. The response indicates that the mitigation is the shutdown of MGS Units 1 and 2 and funding of air quality mitigation programs. The shutdown of MSG Units 1 and 2 is relied on in the netting analysis. Thus, it cannot also be mitigation for the resulting net increase. Please explain how the net increase in emissions will be mitigated. This response also identifies an "air quality mitigation program." This is too vague to satisfy mitigation. Please identify all actions/projects and resulting emission reductions that will be included in the "air quality mitigation program."

**Data Request 71:**

In Data Request 18, the City requested vendor guaranteed startup/shutdown emission “curves”, e.g., NOx in ppm versus load/time since the beginning of startup and shutdown to support the startup and shut down emissions. Instead, the applicant simply repeated the unsupported information in the AFC, referring to DR-8 and DR-17. Please provide the support for these assumed startup and shutdown emissions, in the form of startup/shutdown emission curves and any supporting measurement, e.g., stack test or CEMS data.

**Data Request 72:**

In response to Data Request 24, NRG stated it does not possess the certificates for emissions offsets that it intends to rely on. The only way to verify the adequacy of the proposed offsets is by reviewing the certificates and the backup file that supports the certificates. Please provide copies of these certificates and the supporting files. If they are in the possession of SCE, SCE’s consultants, or the air district, please request this information from them.

**Data Request 73:**

In Data Request 25, NRG states that it is not required to include start-up and shut down emissions in determining compliance with BACT. Please provide the legal justification for excluding start-up and shut down emissions from the BACT requirements.

**Data Request 74:**

In Data Requests 27 and 28, the City noted that the Applicant’s analyses indicated mitigated construction emissions are significant and that additional mitigation is required. The applicant responded that these emissions are “short-term in nature with maximum ambient impacts that tend to occur very near the location of the activities.” The response gives an example of the 24-hour and annual average PM10 ambient impacts, arguing that impacts are significant only within about 300 feet of the fence line and thus not significant. This circular argument is not responsive. The construction air quality analysis in Appendix C-8 indicates that mitigated construction emissions are in fact significant, requiring additional mitigation. Please identify additional construction mitigation to reduce the significant construction emission impacts to a less than significant level.

**Data Request 75:**

In Data Request 29 the City noted that construction emission calculations assume that EPA Tier 4i engines would be used for larger equipment and EPA Tier 4 engines for smaller equipment and requested that these assignments be specified as mitigation measures. The response argues that the assumed use is an element of project design. However, the assignments are hidden from view, buried in modeling files, preventing any meaningful public review. Thus, please provide a table that shows each piece of construction equipment, the EPA Tier engine assumed in the emission calculations, and a commitment in the AFC itself to implement the assignments as mitigation for construction emissions.

### **Data Request 76:**

In Data Request 30, the City requested site-specific measurements of silt content to support estimated fugitive dust emission calculations. The response states that haul roads would be covered with gravel, which will not occur until prior to construction, making it impossible to sample these roads. However, the graveled haul roads are not the only source of fugitive dust emissions that rely on silt content. Site grading, haul road grading before gravelling, and all bulldozing also depend on silt content. These site preparation and grading activities will generate significant amounts of fugitive dust. The measurement of silt content is a very simple and inexpensive test that is recommended when AP-42 calculation methods are used, which is the case here. See AP-42, Appendix C.1. Thus, please provide representative site-wide and site-specific, measured values for silt content and silt loading to verify fugitive dust emissions from site preparation and grading.

### **Data Request 77:**

In Data Request 44, the City noted that the AFC estimated HAP emissions using outdated emission factors from AP-42 and the CARB CATEF database for all operational conditions. AFC Table C-8.1. We requested that the applicant verify these emission factors by providing stack tests to support normal operation and startup/shutdown HAP emissions. The applicant responded that it “does not possess the requested information for the GE 7HA.01 turbine.” This is not responsive. The applicant or the applicant’s consultants can request this information from the vendor and collect it from air districts that have required stack tests on similar GE Frame 7 turbines. Further, the applicant’s consultant, Sierra Research, who prepared this response, certainly has a large collection of responsive stack tests conducted on similar GE Frame 7 turbines. The use of outdated HAP emission factors, conducted on turbines that are not representative of the Frame 7 turbines proposed here, especially during startups and shutdowns, is not a valid basis to estimate health risks because since these emission factors were measured, changes have occurred in turbine design that affect emissions. Further, studies have demonstrated significant increases in many HAPS during startup and shutdown from similar Frame 7 turbines. The formaldehyde emission factor (formaldehyde is a carcinogen), for example, increased from 15 lb/10<sup>12</sup> Btu to 7,539 lb/10<sup>12</sup> Btu, or by a factor of 503, and the formaldehyde emissions increased from 0.11 to 16.08 tons/yr or by factor of 146, when the load was reduced from 100% to 30%.<sup>1</sup> Thus, we request that the applicant obtain and docket more recent and relevant HAP stack test information for similar GE Frame 7 turbines that includes normal operation as well as startup and shutdown conditions and use it to revise its HAP emission estimates.

### **Data Request 78:**

In Data Request 23, the City requested raw NOx CEMS data for existing Units 1 and 2 that was relied on to estimate NOx emissions for the lookback period 2009 to 2014, including firing rate in MMBtu/hr and MW generated. The response is incomplete. Please provide the following

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<sup>1</sup> Gas Research Institute (GRI), Gas-Fired Boiler and Turbine Air Toxics Summary Report, Final Report, August 1996, Table S-5.

information: (1) The units for the "GASFLOW" columns in the provided spreadsheet. (2) The firing rate in MMBtu/hr and the MWhr generated for each measurement period. (3) The unlocked Excel spreadsheet that shows the calculations used to generate NOx emissions for the lookback period 2009 to 2014. (4) All stack tests conducted on Units 1 and 2. (5) Please explain why there are many zero NOx values when Units 1 and 2 were running and emitting NOx. (6) Please explain how these zero NOx values were handled in calculating annual NOx emissions for the lookback period.

**Data Request 79:**

Unit 3 will continue to operate after the new unit starts up. An increase in emissions from this unit may affect the conclusions as to applicability of PSD review and air quality impacts. Thus, please respond to the following questions regarding Unit 3. (1) Are any changes in the operation of Unit 3 anticipated? If yes, please describe them and quantify any emission changes. (2) Please provide all CEMS data and stack tests for Unit 3.

DATED: October 1, 2015

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By: s/ Ellison Folk

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