

DOCKETED

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Comment Received From: Karl Krause

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Concern re Preliminary Determination of Compliance

Additional submitted attachment is included below.

June 13, 2017

Michael Villegas
Air Pollution Control Officer
Ventura County Air Pollution Control District
669 County Square Drive
Ventura, CA 93003

Dear Mr. Villegas:

On June 12, 2017, the California Energy Commission conducted a Committee Status Conference to discuss the status of the Mission Rock Energy Center application to construct a gas-fired power plant near Santa Paula. During that conference, Air Pollution Control District staff stated that the Preliminary Determination of Compliance would be issued without identifying the specific nitrogen oxide emission reduction credits to be used for the project. I believe that such an action is not consistent with the Air Pollution Control District rules.

District Rule 26.9 (New Source Review - Power Plants) states that a Determination of Compliance is equivalent to an Authority to Construct. Moreover, the preliminary Determination of Compliance "shall be treated as a preliminary decision under Rule 26.7.B.1, and shall be finalized by the APCO only after being subject to the public notice and comment requirements of Rule 26.7."

District Rule 26.2 (New Source Review - Requirements) requires emission offsets for any application for an Authority to Construct that will result in an emission increase of more than 5 tons per year of nitrogen oxides. Moreover, the applicant is to provide emission reduction credits that have been certified by the District to offset the emission increase. The credits are required to meet several criteria stated in Rule 26.2.B including that they be surplus at the time of use and that they meet a quarterly emissions profile check.

Any analysis of the preliminary Authority to Construct, and thus pursuant to Rule 26.9, the preliminary Determination of Compliance, needs to include an analysis of the emission reduction credits provided by the applicant. If not, the public is denied the opportunity to dispute whether the credits meet the criteria stated in Rule 26.2.B

I request, therefore, that the Preliminary Determination of Compliance not be issued until the emission reduction credits to be used for the project are specified by the applicant.

Sincerely,

Karl E. Krause
154 Via Solana
Santa Paula, CA 93060

c: Mission Rock Energy Center Docket 15-AFC-02