

DOCKETED

Docket Number:	15-AFC-02
Project Title:	Mission Rock Energy Center
TN #:	221785
Document Title:	Karl Krause letter to Ventura County APCD
Description:	Comment letter docketed by Commission staff on behalf of Ventura County APCD re: Mission Rock PDOC
Filer:	Mike Monasmith
Organization:	Karl E. Krause
Submitter Role:	Public
Submission Date:	11/15/2017 10:51:26 AM
Docketed Date:	11/15/2017

November 8, 2017

David Pollock, Chair
Ventura County Air Pollution Control Board
669 County Square Drive, Second Floor
Ventura, CA 93003

Subject: Mission Rock Energy Center Preliminary Determination of Compliance

Dear Mr. Pollock:

On October 31, 2017, the Ventura County Air Pollution Control District submitted a Preliminary Determination of Compliance for the Mission Rock Energy Center to the California Energy Commission. The District's transmittal letter for the document states that the project is expected to meet the requirements of Rule 26. It then goes on to state that the project does not currently meet the emission offset requirements of Section B.2.a of Rule 26. The project requires offsets for nitrogen oxides (NOx) at a tradeoff ratio of 1.3 to 1 but those offsets have not yet been identified.

The District letter goes on to state that the District will provide a further public notice and comment period when the emission reduction credits are identified by the Mission Rock Energy Center.

I believe that the District's actions constitute a violation of the District rules and regulations.

Rule 26.9.D states:

"The APCO shall consider the AFC (i.e., California Energy Commission Application for Certification) to be equivalent to an application for an Authority to Construct during the Determination of Compliance review, and shall apply all provisions of Rule 26 and all other District rules and regulations which apply to applications for an Authority to Construct."

Rule 26.2.B.1 states:

"The APCO shall deny an applicant an Authority to Construct for any new, replacement, modified or relocated emissions unit with an emission increase of any of the pollutants specified in Table B-1, and where the potential to emit of the stationary source would be greater than or equal to the limits specified in Table B-1, unless offsets are provided for any emission increases of such pollutant from the new, replaced, modified, or relocated emissions unit."

Table B-1

ROC	5.0 ton/yr
NOx	5.0 ton/yr
PM10	15.0 ton/yr
Sox	15.0 ton/yr

My Concerns:

- 1) The Mission Rock Energy Center applicant did not identify the specific emission reduction credits to be used to offset its NOx emissions of 28.13 tons per year. Therefore, the District should not have accepted the application and should not have found the application to be complete. These actions violate the District's own rules and procedures.
- 2) Rule 26.2.B.1 requires the District to deny an applicant an Authority to Construct when the emission increases meet or exceed the limits in Table B-1 and no offsets are provided. Clearly this is the case, and yet, no denial has occurred.

There is no provision in the District rules and regulations to allow the District to take the action described in 1) above, or to fail to take the action described in 2) above. These are dangerous precedents for the District to establish, and should be reconsidered.

Please direct District staff to take the action required by its own rules and regulations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl E. Krause', with a long horizontal flourish extending to the right.

Karl E. Krause
Retired Manager of the VCAPCD Engineering Section

c: Michael Villegas, Air Pollution Control Officer