

DOCKETED

Docket Number:	07-AFC-06C
Project Title:	Carlsbad Energy Center - Compliance
TN #:	203012
Document Title:	Letter to NRG re Data Requests, Set 2A (#59-66) - Waste Management
Description:	N/A
Filer:	April Dearbaugh
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	8/29/2014 1:17:22 PM
Docketed Date:	8/29/2014

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



August 29, 2014

George L. Piantka, PE
NRG West Director, Environmental Business
5790 Fleet Street, Suite 200
Carlsbad, CA 92008

Dear Mr. Piantka:

CARLSBAD ENERGY CENTER PROJECT AMENDMENT (07-AFC-6C) DATA REQUESTS, Set 2A (#59-66)

The California Energy Commission staff continues to review the petitions to modify the licensed Carlsbad Energy Center Project (CECP), and requires additional information to supplement our environmental analyses pursuant to Title 20, California Code of Regulations, section 1769(a)(1)(E). The California Energy Commission staff seeks the information specified in the enclosed Set 2A Data Requests (#59-66). 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.

This set of Data Requests (Set 2A) includes the following technical discipline: Waste Management (#59-66). Staff requests that responses to the enclosed Data Requests be submitted on or before September 27, 2014. Given the aggressive schedule of discovery for this proceeding, staff strongly encourages the petitioner to submit thorough data responses as soon as possible in order to allow the topics addressed in the following pages to be publicly discussed during planned public workshops, tentatively scheduled for September 24 and 25, 2014 in Carlsbad.

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 both Commissioner Karen Douglas, Presiding Committee Member for the Carlsbad Energy Center Project Amendment, and me, within 20 days of receipt of this letter. The notification should contain the reasons for not providing the information, the need for additional time, and the grounds for any objections. If you have any questions, please call me at (916) 654-4894, or E-mail me at mike.monasmith@energy.ca.gov.

Sincerely,

Mike Monasmith
Siting Project Manager

Enclosure:

Technical Area: Waste Management

Author: Ellie Townsend-Hough

BACKGROUND: Encina Power Station (EPS) demolition

Page 2-44 of the PTA states, "Subsurface remediation of the EPS site is not included as part of the demolition activities to occur under the PTA, but maybe conducted at a later date for future redevelopment of the site." The project owner would be required to comply with applicable regulations that require that the conditions at the site not harm humans or the environment. Accordingly, the project owner will be required to enter into the Voluntary Assistance Program with the San Diego County Department of Environmental Health (DEH). DEH staff provides project oversight and technical or environmental report evaluation on projects pertaining to properties contaminated with hazardous substances. DEH enforces Health & Safety Code, §§ 101480-101490, Administration of Public Health, Released Waste. DEH serves as the administering agency on environmental cleanup projects in the county. Both the demolition of above-ground storage tanks (ASTs) 1, 2 and 4, and the demolition of the Encina Power Station will require new applications to be filed with the Voluntary Assistance Program. Staff would require the project owner to pay the necessary fees and comply with the permit requirements that would otherwise be issued by DEH (if it were not for the permitting authority of the Energy Commission), to mitigate potential impacts to human health and the environment.

DATA REQUESTS

59. Please provide a schedule and description of the regulatory process between the Carlsbad Energy Center Project owner and the San Diego County Department of Environmental Health.
60. Please explain how the project owner would demonstrate that human health, water resources, and the environment are adequately protected once the tanks and the Encina Power Station are demolished, without a subsurface site characterization and/or soil remediation immediately following demolition of these facilities.

BACKGROUND: Above-ground storage tanks 1, 2, and 4 demolition

In the April 29, 2014 Petition to Remove (PTR), Sections 1.1.3 and Section 2.1, the petitioner indicates that AST's 1, 2, and 4 will be demolished and remediated in conjunction with AST's 5, 6 and 7 (which were previously permitted as part of the licensed CECP Final Decision). The PTR states that the project owner will remove the walls and roofs of ASTs 1, 2, and 4, and remove associated piping and equipment for these tanks within the bermed areas of each tank (the piping would be cut/removed and capped at the soil berm). The PTR also states that the oily sands will be removed from beneath all three ASTs, and the berm adjacent to AST 4 will be removed. The petition does not include an explanation or description of the subsurface remediation that will take place.

DATA REQUESTS

61. Please provide an explanation of how the project owner would characterize the oily sands and soils below the three ASTs (1, 2, and 4).
62. Please provide an explanation of all activities the project owner would implement to remediate the contaminated area located beneath ASTs 1, 2, and 4.

BACKGROUND

Any unmitigated contamination or releases of hazardous substances that pose a risk to human health or environmental receptors would be considered significant by the Energy Commission staff. As indicated in the 2007 Carlsbad Energy Center Project Application for Certification, Section 5.14.3.1.1, several locations at the 95-acre Encina Power Station site could not be assessed because samples could not be collected from beneath existing structures. These inaccessible areas are under tanks, piping, the generation building, and other buildings, and remain as potential environmental conditions that should be addressed at decommissioning. A portion of the Encina Power Station is constructed below grade and an ongoing dewatering program is required to maintain operation of the facility. The Environmental Site Assessment, Phase II, from the 2007 AFC, indicated that there is possible historical contamination in the areas related to the Petition to Remove (PTR) and Petition to Amend (PTA).

DATA REQUESTS

63. Once the Encina Power Station is demolished, what procedures would be implemented to ensure that historical areas of contamination would not pose a risk to human health or the environment? Please provide detailed information on proposed mitigation methods including, but not limited to, removal and disposal, in-situ remediation, surface barriers, monitoring wells, signage, and other related environmental safeguards.
64. Please provide a preliminary demolition plan identifying what activities would be required at the Encina Power Station site.
65. Please describe how the underground structures and dewatering program will be maintained during the period between the time the site is stabilized in accordance with the PTA and PTR and final demolition after adoption of the Encina Redevelopment Plan.
66. Once the city of Carlsbad provides an approved Encina Redevelopment Plan, what is NRG's schedule for below-grade site characterization and/or remediation of the Encina Power Station site.