

DOCKETED

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Project Title:	Carlsbad Energy Center - Compliance
TN #:	203448
Document Title:	Response of Robert Simpson to CEC Staff Objections and Responses to his Data Requests
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December 15, 2014
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**CARLSBAD ENERGY CENTER PROJECT AMENDMENT (07-AFC-6C) DATA
REQUESTS, Set 1, REVISED RESPONSE OF ROBERT SIMPSON**

Dear Ms. Willis:

After reviewing your responses and objections (TN # TN 203332) to my original data request (Set 1, i.e. TN # 203277), I have revised several of the questions to better address your objections and elicit responses. As stated in my original request, I require additional information to supplement my analyses pursuant to Title 20, California Code of Regulations, sections 1716 and 2025. I am seeking 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.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice of explanation as 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 (*see* CCR § 1716(f)). However, since this is a revision of the original data request and contains fewer questions, I would appreciate it if you could respond sooner. The notification should contain the reasons for not providing the information, the need for additional time, and the grounds for any objections.

Please note that the numbers assigned to each revised data request corresponds with the numbers assigned in the original data request (TN # 203277) sent on October 29, 2014.

Submitted by:

/s/ Robert Simpson

December 15, 2014

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REVISED DATA REQUESTS

Data Requests Nos. 31, 32, 34, and 35: The CEC stated that “Staff objects to these requests because they are not reasonably available to Staff, not relevant to the proceeding or reasonably necessary to make any decision on the notice or application.” Mr. Simpson disagrees regarding the relevance of these questions. Each of these data requests is relevant to the air quality and greenhouse gas impacts of the CECP since they contemplate a variety of ways to reduce such impacts and, therefore, reasonably necessary to make decisions on the notice or application. Please indicate whether the information requested in each question has been studied and, if not, whether it will be discussed in the PSA. Note that requests No. 34 and No. 35 have been revised:

- 31) Has the Applicant examined the value of underground carbon sequestration, including the value it might provide in offsetting the cost of participating in the state CO₂ cap and trade scheme as well as the value of increased electricity sales from preferred position in queue? If so, what did the Applicant find?
- 32) Have nearby farm owners and management been surveyed to determine if they would accept heat or carbon dioxide for intensified farming methods? Has the Applicant surveyed nearby farm owners and management to determine under what terms they would participate in algae farming for bio-sequestration of greater amounts of, what would otherwise be, air pollutants? If so, what did the Applicant find?
- 34) Please describe how much on site solar could be developed in conjunction with the facility if all practicable surface area on buildings, in the parking areas, and elsewhere on-site are covered by solar panels and the extent to which this would impact air quality and greenhouse gas emissions from the site.
- 35) Please explain whether the effectiveness of varying amounts and types of energy storage can be used to reduce air quality and greenhouse gas emission impacts.

Data Request No. 39: The CEC has indicated that the information requested is “not reasonably available to Staff” and that “Staff has not completed its analysis of the proposed amendments.” In light of the latter statement, please indicate when analysis of potential pollutant accumulation in the lagoon will be completed and made available. (Original data request below)

- 39) Has the pollution and potential pollutant accumulation in the lagoon been studied? If so, what were the results?

Data Requests Nos. 47 and 57: The CEC objected to Nos. 47 and 57 on the grounds that they exceeded “the scope of Mr. Simpson’s limited intervention.” These questions have been revised to better reflect Mr. Simpson’s intervenor status.

47) Has a survey of the gas pipeline intended to serve CECP been conducted in order to help ensure the safety and health of the public? If so, what were the findings of the survey?

57) If grid stability requires the CECP facility to operate more than the permitted amount, what impacts will that have on air quality, greenhouse gas emissions, and public health?