

DOCKETED

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Project Title:	Carlsbad Energy Center - Compliance
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Document Title:	Committee Memo re questions to discuss durning PMPD Comment Conference
Description:	Memo describes two topics that the Committee wishes the parties to prepare to discuss during the June 29, 2015 Committee Conference on the Presiding Member's Proposed decision
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Memorandum

To: All Parties and Persons Interested in the Carlsbad Energy Center Amendments Proceeding (07-AFC-06C) Date: June 26, 2015

From: Paul Kramer, Hearing Adviser
Carlsbad Amendments Committee
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Subject: Request that Parties Prepare to Discuss Specific Topics at June 29, 2015 Committee Conference on the Presiding Member's Proposed Decision (PMPD)

The Committee assigned to the Carlsbad Energy Center Amendments Proceeding requests that the Parties come to the June 29, 2015 Committee Conference on the PMPD prepared to respond to the following questions in addition to the other parties' comments on the PMPD:

1. Condition SOIL&WATER-2 provides, in part:

Potable water use for EPS demolition activities that are suitable for non-potable water shall count toward the cumulative total limit, in accordance with SOIL&WATER-6.

A caveat that the non-potable water must be used for construction purposes if available, found in the first paragraph of Condition SOIL&WATER-2, is not applied to demolition activities in the above paragraph.

Condition SOIL&WATER-6 provides, in part:

During normal operation the project shall use no more than three acre-feet per year (AFY) of potable water for drinking, sanitary, and fire protection testing purposes. The project shall use recycled water for all industrial and landscape irrigation purposes during operation of the CECP, unless potable water is needed for emergency backup use. For the purpose of this condition, the term emergency shall mean the inability of the CECP to take, or for the city of Carlsbad to deliver, recycled water to the CECP in a quantity sufficient to meet CECP demand due to Acts of God, natural disaster, and other circumstances beyond the control of the project owner, including interruption of recycled water service and it is necessary for the CECP to prepare to or continue to operate to serve a peaking load. If more than 3 AFY of potable water is needed during operation for more than just a non-emergency uses, the owner shall be required to file a formal petition to amend the project. If the CECP requires potable water for emergencies that will cumulatively exceed 300 acre-feet during the life of the project, the project owner shall file a petition to amend. . . .

Condition SOIL&WATER-6 seems to apply only to water use during operations. EPS' demolition is more akin to a *construction* activity than an operations activity.

Should potable water use, where non-potable water is appropriate (and available), be counted against the 300 acre-feet project lifetime limit? Should the Committee clarify the reference in SOIL&WATER -2 in some way?

2. In its Air Quality analysis, staff uses the adjective “normal” several times. The Committee carried those descriptive phrases into the PMPD at pp. 6.2-5 – 6.2-6, but desires further explanation as to what is meant by “normal” in these contexts.