

## DOCKETED

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<b>Project Title:</b>	Hydrogen Energy Center Application for Certification Amendment
<b>TN #:</b>	200207
<b>Document Title:</b>	Applicant's Proposed List of Outstanding Issues for Consideration at the Upcoming Public Workshops
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STATE OF CALIFORNIA  
ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF: ) DOCKET NO. 08-AFC-08A  
)  
AMENDED APPLICATION FOR )  
CERTIFICATION FOR THE HYDROGEN ) APPLICANT'S PROPOSED LIST OF  
ENERGY CALIFORNIA PROJECT BY ) OUTSTANDING ISSUES FOR  
HYDROGEN ENERGY CALIFORNIA LLC ) CONSIDERATION AT THE UPCOMING  
) PUBLIC WORKSHOPS  
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Hydrogen Energy California LLC (Applicant) hereby responds to the California Energy Commission Staff request, dated August 7, 2013, for a list of outstanding issues and related Conditions of Certification (COCs) for discussion at the upcoming public workshops for the Hydrogen Energy California Project (HECA).

The Applicant's team has been diligently reviewing the Preliminary Staff Assessment/Draft Environmental Impact Statement (PSA/DEIS) and compiling our comments, including comments on and proposed changes to the COCs. We have also been preparing responses to Staff requests for additional information contained in the PSA/DEIS, the first set of which were docketed on August 9, 2013 (Docket # 200144), and the remainder of which we intend to provide within the month.

As requested, we propose the following list of outstanding issues for discussion at the upcoming public workshops. Our list tracks many of the outstanding issues identified by Staff in the PSA/DEIS. Please note that the list below does not include all of the outstanding issues or data requests identified in the PSA/DEIS because the Applicant can address many of these items through the submittal of written comments and responses and does not necessarily see the need for discussion during the workshops.

Because the public workshops are an opportunity for intervenors, Staff and the Applicant to discuss, and hopefully resolve, outstanding issues, we will remain flexible and open to discussing any issues that Staff believes warrant attention at the workshops. The Applicant may propose discussion of additional topics as needed. Given that the workshops are still a month away, it is likely that the list of issues requiring discussion will continue to evolve to some extent. We hope the following proposed list provides a helpful starting point for productive workshops.

**I. APPLICANT'S PROPOSED LIST OF OUTSTANDING ISSUES FOR CONSIDERATION AT THE PUBLIC WORKSHOPS**

**A. Air Quality / Carbon Capture and Sequestration**

1. Revised Air Quality emissions estimates requested by Staff.
2. The SO<sub>x</sub> for PM interpollutant offset ratio.
3. GHG emissions information requested by Staff.
4. Monitoring, reporting and verification requirements to ensure long-term sequestration of injected CO<sub>2</sub>.
5. HECA's GHG emissions rate and net generation for purposes of demonstrating compliance with California's Emission Performance Standard.

**B. Biological Resources**

1. Status of, or need for, additional biological surveys.
2. Mitigation strategy to address potential impacts to identified sensitive species.
3. Mitigation to avoid potential take of the blunt-nosed leopard lizard.
4. Mitigation strategy for biological resources potentially affected by the OEHI EOR component.
5. Analyzing potential impacts to biological resources from HECA's groundwater use.

**C. Cultural Resources**

1. Status of, or need for, the following:
  - a. Pedestrian surveys related to HECA's linear alignments;
  - b. California Register of Historic Places/National Register of Historic Places eligibility for archaeological sites that may be impacted by the project; and
  - c. Geoarchaeological field sampling.
2. Cultural resources information for the OEHI EOR portion of the project.

**D. Land Use**

1. Consistency with local land use standards, including use of fertilizer byproduct.

**E. Noise**

1. Assessment and mitigation of potential noise impacts to sensitive receptors.

**F. Power Plant Efficiency**

1. HECA's power generation output and whether the Air Separation Unit and OEHI EOR processes should be included in HECA's parasitic load.

**G. Project Description**

1. Increased use of the Wasco coal transloading facility and evaluating potential impacts related to Air Quality, Public Health Noise and other topic areas.

**H. Public Health**

1. Assessment and mitigation of potential public health risks.

**I. Socioeconomics**

1. Discussion of sales tax language in SOCIO-1.

**J. Traffic and Transportation**

1. Traffic Study Technical Memorandum (Revision 2).
2. Assessment and mitigation of potential traffic and transportation impacts, particularly related to TRANS-4 and TRANS-5.

**K. Visual Impacts**

1. Appropriate requirements for mitigating impacts at KOP HECA 1.
2. Assessment and mitigation of potential visual impacts, particularly related to VIS-2 and VIS 6.

**L. Waste Management**

1. Strategies to ensure HECA's compliance with waste disposal requirements, including opportunities to market gasification waste products.
2. Agreement with DTSC for characterizing and remediating the site.
3. Assessment and mitigation of potential waste impacts, particularly related to WASTE-1 and WASTE-8.

**M. Water Supply**

1. Quality of proposed groundwater supply and consistency of using groundwater for cooling purposes with applicable state and CEC policies.
2. HECA's benefits to the Buena Vista Water Storage District's Brackish Groundwater Remediation Program.
3. Information responses by the Buena Vista Water Storage District.
4. Potential well drawdown associated with HECA's groundwater use.
5. Potential water supply alternatives or the use of dry cooling technologies.

**II. CONDITIONS OF CERTIFICATION**

The Applicant will be ready to discuss COCs applicable to the outstanding issues identified above. The Applicant may make comments about, or propose revisions to, other COCs as part of the Applicant's comments on the PSA.

The Applicant proposes the following COCs for consideration at the public workshops. Please note that the Applicant or Staff may determine that additional COCs may be applicable to the issues described above or other issues raised at the public workshops:

**A. Air Quality / Carbon Capture and Sequestration**

1. AQ-SC6, AQ-SC10, AQ-SC13, AQ-1, AQ-3, AQ-4 AQ-5, AQ-7, AQ-9, AQ-19, AQ-22
2. GHG-1, GHG-3, GHG-5

**B. Biological Resources**

1. BIO-1, BIO-6, BIO-7, BIO-13, BIO-14, BIO-17, BIO-20

**C. Cultural Resources**

1. CUL-1, CUL-2, CUL-6, CUL-7

**D. Land Use**

1. LAND-1, LAND-2

**E. Hazardous Materials**

1. HAZ- 4, HAZ-9

**F. Noise**

1. NOISE-4, NOISE-9

**G. Public Health**

1. PUBLIC HEALTH-1, PUBLIC HEALTH-2, PUBLIC-HEALTH-3

**H. Socioeconomics**

1. SOCIO-1

**I. Traffic and Transportation**

1. TRANS-4, TRANS-5

**J. Visual Impacts**

1. VIS-2, VIS-6

**K. Waste Management**

1. WASTE-1, WASTE-8.

**L. Water Supply**

1. WATER-1, WATER-3, WATER-4, WATER-6

**M. Other**

1. GEN-1, COM-14

We look forward to working with Staff and intervenors to resolve outstanding issues at the upcoming public workshops.

DATED: August 16, 2013

Respectfully submitted,

*/s/ Michael Carroll*

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