

DOCKETED

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From: Fred Pozzuto [<mailto:Fred.Pozzuto@NETL.DOE.GOV>]

Sent: Friday, September 06, 2013 12:51 PM

To: chris ROMANINI

Cc: Heiser, John@Energy

Subject: Fwd: Comments on HECA

Ms. Romanini,

The Department of Energy (DOE) appreciates your comments and review of the PSA/DEIS. I will be forwarding and coordinating your concerns on Air Quality, Traffic, Water, and others to the subject matter experts for further investigation. A copy of your email attachment will be placed into the official record and be docketed by the California Energy Commission.

Again, DOE appreciates your response.

Fred E. Pozzuto, P.E., P.G.

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HECA Neighbors comments on the PSA.
September 2013

Please Docket 08 AFC 8A

The public can not respond appropriately with so much unresolved in the PSA . HECA should be required to fund a revised PSA with the lacking information included prior to issuing the final. No other way can the public understand what is going on and be involved properly.

ALTERNATIVES

Kern County, with the most polluted air in the nation, is a terrible choice for this dirty demonstration project. The Kern County Board of Supervisors asked for an alternate site not on prime farm land. CEQU requires alternative studies. Yet the DOE will not give the money if the site is changed after 2010!!

SCS did not own HECA in 2010. It was not a fertilizer company in 2010. It was not going to use coal for the life of the project in 2010. Yet you keep the pressure on the CEC to stick it in Kern County on this beautiful farm land or you will defund the project. The DOE keeps HECA from being objectively examined.

AIR

AQ-SC10 rail and trucks... is wrong!! HECA can not be exempted from inspections of roads and rail simply because the delivery vehicle is COVERED. Covering the top of the truck or rail car will not prevent leakage from the bottom. Owner must inspect the length of the rail spur , or the truck delivery route, once a month and shall respond to related complaints from the public within a day of a complaint. They can not be exempt from these measures simply because the loads are COVERED, which should also be mandatory. Coal leaks from the BOTTOM of the hopper cars as I have repeated reported to SJVAPCD.

The Air District has refused to acknowledge this coal leakage exists. I reported loose coal at both HECA hearings with the Air District. As documented by 17 news with video docketing with the CEC, there is coal about 4 inches deep between the rails in Wasco,. And when coal is disturbed, as shown in the news video, the dust is blown by the constant wind. Yet the Air District refuses to take action of this blowing coal dust. Please discuss who will control the larger coal mess on the ground and in Wasco's air once HECA is in business.

Coal unloaded in Wasco needs investigating. Under alternative 2, what washing facilities will be constructed in Wasco to clean out the rail cars after they are unloaded? Currently, there is no cleaning of the Wasco rail cars. As the rail cars leave the unloading facility, they leak large quantities of coal on the ground several inches deep for miles out of Wasco. Please investigate requiring installation of wash facilities in Wasco for rail cars before rail cars leave the unloading area.

The San Joaquin Valley Air Pollution District is using their older, less stringent inter pollutant trading ratio 1.1:1 for SOx for PM 2.5. In 2012, the district adopted a newer, more health protective ratio of 4.1:1. Please assess why the older ratio was used. Does the air district have the choice to use their newer 4.1:1 even if the EPA has not approved it? And it is curious that the EPA is stalling their approval. Does the EPA want to assure that HECA can qualify for the grants and stimulus funds?

Seyed Sedredin of the SJVAPCD said at the Kern Board of Supervisors in Feb. 2013 that HECA went "above and beyond" in their mitigation. Please identify what HECA is "above and beyond" of. Is it above 4.1:1? or 1.1:1? Or what? We question if air credits SJVAPCD approved for HECA to buy that were over 30 years old can safely keep our air from getting worse. Please examine these air credits to determine their usefulness to the air we breath.

HAZARDOUS MATERIAL

4.5-47 We object to the statement by the CEC that dangerous hazards questioned by interveners were "interesting". Accidents DO happen, and we farmers will be the first hurt. Please examine all the risks to neighboring fields and workers as brought up by these interveners. Farmers work with some of the chemicals they are producing or dealing with, and we know the danger from our own experiences.

What is the danger of a concentrated CO2 drift engulfing people in nearby fields? In Denbury, Miss, the responders had to wear breathing masks as the fumes were so toxic they were suffocating wild life.

Please study the danger to people beyond the fence line. There are often dozens of field laborers brought in by different labor contractors for different tasks. They all need protection that a reverse 9-1-1 can not cover. They need a siren to announce evacuation. At a minimum we need this basic protection of sirens along Adohr Rd between Morris and Freeborn and Stockdale Hwy between I-5 and Wasco Way. and Tupman Rd to Tupman.

There have been numerous requests for an air monitor near the Tupman school. Residence must endure proposed HECA's emissions along with accumulated emissions from Clean Harbors Hazardous Waste facility in Buttonwillow, benzine and other fumes from I-5 emissions, and oil field emissions, all coupled with being at the closed end of the valley, right up against the Elk Hills. As the final recipient of all the pollution blown down the valley hitting into the hills, it is time to acknowledge that Tupman would be a proper place to erect a monitor. Please require HECA to fund one near Tupman.

What controls are in place to insure that HECA only produces fertilizer? What penalty or controls can be imposed if the products HECA sells are further converted from fertilizer to another product for sale?

Please examine HECA's ammonia or other chemicals exploding and or catching fire. What is the radius of the affected area? Could I-5 be in the radius? Please evaluate the Inergy propane/butane plant near Tupman and its vulnerability to explosion. What radius is affected by an Inergy explosion? Please evaluate the approved pipeline from Oxy in the Elk Hills to Plains in Shafter, especially as it goes through Inergy in Tupman. What radius could be affected by an explosion from HECA affecting this pipeline? Could the pipeline send flames into Shafter?

FINANCIAL COMMITMENT for neighbors

HECA is the most complex facility in the history of the Energy commission. 4.5-2 The CEC doesn't believe HECA will be 100% free of upsets or accidental release of hazardous material. And they acknowledge leaks are prone to happen. What about us in the neighborhood? What is the financial protection for the neighboring farmers against the threats of HECA's materials contaminating our crops or land or people? Will HECA indemnify and defend against liability or pollution or contamination issues related to HECA's activities? How much bond will HECA provide in case of accidents, explosions, contamination, pollution? Food safety from contamination of crops and land is a reality.

HECA Neighbors requested a bond of \$500 million. The Farm Bureau and the Kern County Board of Supervisors also requested a financial commitment against unusual crop production or land contamination. Nothing has been acknowledged. If an accident such as in Denbury, Miss. or West, Texas occurs, HECA could be financially broke before compensating local farmers. We want to see a financial commitment required from HECA and OXY.

POWER PLANT EFFICIENCY

Is HECA providing 52 mw of power to the grid? It could be much less than 52 MW if you factor in the energy to pump 4800 gal/minute of water 30 feet up hill for over 15 miles. Please factor in this power usage

PUBLIC HEALTH

Staff presented health studies and diseases of different zip codes throughout Kern County but failed to include the community only 1 1/2 miles down wind. This study is useless information as it did not include the target folks in zip code 93276 Tupman. Please update and correct your study information. Makes one question why staff included information lacking the most vulnerable people.

Field workers need evacuation alarms. Please require chemical sensors to monitor in real time along the fence line for immediate notification to appropriate first responders. Please require sirens such as those at nuclear power plants to alert the public of danger

and to immediately evacuate. At a minimum we need this basic protection of sirens along Adohr Rd between Morris and Freeborn and Stockdale Hwy between I-5 and Wasco Way. and Tupman Rd to Tupman.

Public Health 4 is not strong enough protection. Legionella bacteria causes pneumonia. Testing for the bacteria every 6 months is too long a delay. Please require quarterly testing for Legionella for at least the first 2 years. What plan has HECA presented to prevent Legionella. How often will they sterilize their cooling tower?

Health Studies confirm the high asthma rate in Kern County. Our hospitalization rate and death rate for asthma is higher than the state average. And air pollution is detrimental to asthma. Kern is the hot spot for Valley Fever. With the significant emissions of tons of pollutants from HECA, common sense says our health problems will increase. A good will investment for HECA would be advanced treatment equipment at our local hospitals for lung challenges. Please require HECA to PROVIDE appropriate equipment local hospitals could use to assist lung challenged patients.

TRAFFIC

Where is the TRANS-1 so we can see how safe our tractor drivers will be going 10 miles/hour often on roadways with HECA's 1000+ daily deliveries on a time schedule?. As noted on 4.11-27 collisions between heavy trucks and cars (tractors) result in increased injuries, severity of injuries, and increase in fatalities to the tractor driver. To lessen exposure for tractor drivers, please restrict HECA traffic to Adohr, to Morris Rd and Stockdale to I-5. Keep HECA traffic off of Dairy Rd. And NO Stockdale traffic going west from Morris.

What are the designated access roads? Are they the same for construction and for operation? What are the designated delivery routes?

Where is the evaluation of intense harvest activity with bulky farm equipment impacting local roads during harvest of tomatoes, almonds, grapes, cherries, and cotton, and the super intense volume of pistachio's large equipment? Consider restricting HECA traffic to after sun down and before sun up beginning Sept 1 through Nov 1 during harvest. Traffic Study 9.1 Locals object. This puts construction traffic on Dairy Rd. This impacts farming activity. All traffic in and out of HECA should be Adohr going east.

What is the delivery route for pet coke from Santa Maria? Does any traffic go through Buttonwillow and turn onto Wasco way? Please identify truck route and restrict HECA traffic to those routes, preferably I-5 to Stockdale to Morris and Station, and Adohr.

What is the enforcement policy of restricting HECA traffic?

What is the traffic pattern in and out of HECA? Again, to limit exposure to farm traffic please restrict all HECA traffic away from Dairy Road.

Studies have failed to identify the danger on the Northbound offramp of I-5 at Stockdale Hwy with the off ramp going east. (Ca Trans 105) Farmers use this overpass

daily and understand the east side is more dangerous than the west side of I-5. Traffic pulls off I-5 to go to the truck stop and moves slowly, being distracted by choices. East traveling Stockdale vehicles can not see those slow moving vehicles coming off the freeway. East bound Stockdale vehicles are on top of the overpass before they see these slow vehicles from the North bound off ramp. East bound traffic often must swerve to avoid a collision, and accidents happen. It is very dangerous as it is. With the additional trucks from Alternate 2 vehicles traveling east on Stockdale, a remodeled I-5 north bound off ramp lane connecting all the way to the truck stop is the safest mitigation. Please study this off ramp.

School bus traffic failed to identify 3 school districts impacted by HECA, and they are the MOST impacted of all school districts in Kern!! 4.11-36 staff did not review the bus route, nor even mention Rio Bravo Greeley's two schools on Enos Lane (State route 43). At minimum RBG deserves signals on Hwy 43 at the schools along with turning lanes. Staff also failed to identify Buttonwillow School District and Elk Hills School District routes. All 3 districts have school bus stops along potential truck routes. Wasco Way and 58 is another dangerous intersection with school buses, and if it is a project related truck route, it needs signals.

The study denies any bus stops on the truck routes. But EVERY HOME along the truck route is a bus stop if a student lives there. Buses also stop at the dairy on Stockdale Hwy. All traffic must stop in both directions when the bus delivers a student. And locals know it is extra dangerous in the fog. Investigate what safety measures are needed for school bus stops. Please evaluate widening Stockdale Highway.

Truck traffic of HECA vehicles should not be allowed during school bus route times. No delivery of products between 6:30-8 am nor between 2-4 pm.

Limestone. What is the truck route for this delivery?

WASTE

Please discuss if HECA has Zero Liquid Discharge (ZLD) . Does HECA have a liquid discharge, a sludge discharge, or solid discharge? Are they using micro filtration? What happens to the filters?

WATER

Has staff considered all BVWSD's historic agreements? Is it possible they do not have the right to sell this water for industrial purposes? Please review.

WATER-3 Where is this Water Supply Plan with offsets within the sub-basin equal to pumping? When will it be available to consider? Require HECA to replace the water to the basin they pump out.

Chris Romanini
HECA Neighbors Intervener