

# Responses to CEC Data Requests Set One – Nos. A98, A99 and A123

## Amended Application for Certification for HYDROGEN ENERGY CALIFORNIA (08-AFC-8A) Kern County, California

Prepared for:  
**Hydrogen Energy California LLC**



Submitted to:



**California Energy  
Commission**



**U.S Department  
of Energy**

California Energy Commission

**DOCKETED  
08-AFC-8A**

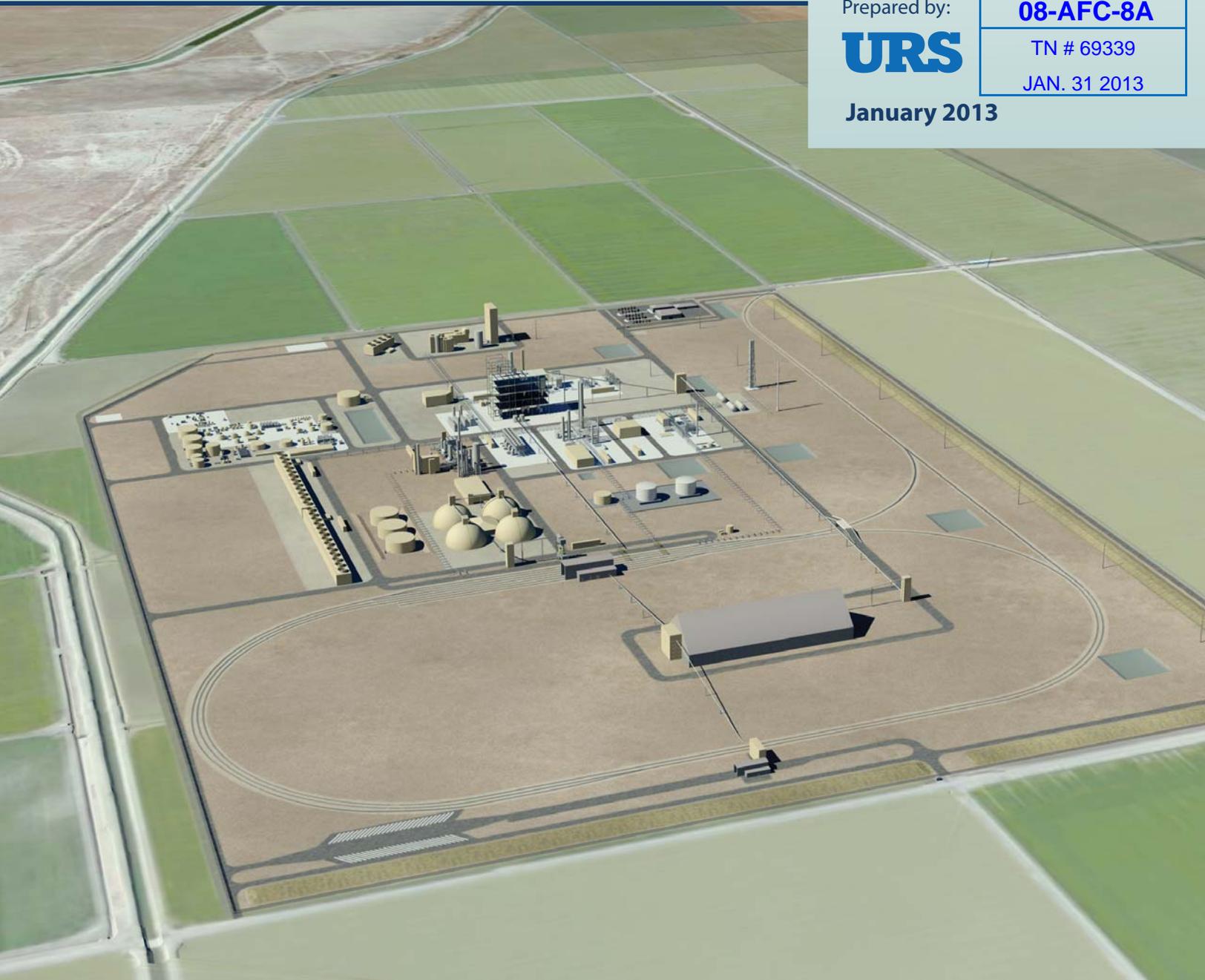
TN # 69339

JAN. 31 2013

Prepared by:



**January 2013**



**RESPONSES TO DATA REQUESTS A98, A99, and A123  
FROM CALIFORNIA ENERGY COMMISSION (CEC)**

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**LIST OF ACRONYMS AND ABBREVIATIONS USED IN RESPONSES**

CCR	California Code of Regulations
CEC	California Energy Commission
HECA	Hydrogen Energy California
KCFD	Kern County Fire Department

**Technical Area:** Worker Safety and Fire Protection

**Author:** Geoff Lesh

## **BACKGROUND**

Hydrogen Energy California (HECA) will bring a large scale industrial facility into the jurisdiction of Kern County Fire Department (KCFD). First responder and fire protection services will be required for the project and will be provided by KCFD. Construction and operation of the project will increase the assets that the fire department must protect and potentially increase call frequency for emergency first aid and medical services. Energy Commission staff must analyze the potential for the proposed project to have an adverse impact on the Fire Department's ability to provide an acceptable level of service. Staff requires assurance that after applying any proposed mitigations, the fire department's increased responsibility will not adversely affect to a significant extent its ability to continue providing service to the public.

## **DATA REQUEST**

***A98. Please provide a letter, email, or record of conversation with KCFD that confirms the absence of any expected impacts on the local fire district resulting from construction and operation of the proposed project, or identifies impacts and the needed mitigation to address such impacts to the satisfaction of the KCFD. Or, in the absence of such letter or communication, please provide a Fire and Emergency Services Risk Assessment and a Fire Protection and Emergency Services Needs Assessment for the construction and operation of the project that provides an objective estimate of both equipment and staffing shortfalls (if any) and the associated recommended mitigations (if any) that would be required by KCFD to maintain its current level of readiness to respond to the public.***

## **RESPONSE**

Since providing the previous response to this data request, the Applicant has met with and provided information to Kern County regarding worker safety and fire protection. On October 4, 2012, representatives from HECA and Fluor met with Kern County Fire Department personnel to discuss the plant layout and features of the fire protection system. Subsequent to that meeting, the Kern County Fire Department continued a dialogue with the Applicant to seek responses to questions pertaining to fire protection and worker safety. It is the Applicant's understanding that all of the Kern County Fire Department questions have been answered. The Applicant anticipates that the County will make a determination as to the absence of any impacts resulting from the construction and operation of the Project, or in the alternative, request appropriate mitigation.

## DATA REQUEST

- A99. *The Fire and Emergency Services Risk Assessment and a Fire Protection and Emergency Services Needs Assessment should be considerate of the guidance provided by NFPA 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments and by NFPA 551: Guide for the Evaluation of Fire Risk Assessments:***
- a. *The Risk Assessment should be used to establish the risk (chances) of significant impacts occurring. The Fire Protection and Emergency Services Needs Assessment and Risk Assessment should evaluate the following: (a) the risk of impact on the local population that could result from potential unmitigated impacts on local fire protection and emergency services (i.e., “drawdown” of emergency response resources, extended response times, etc.) and (b) recommend an amount of funding that should be provided and used to mitigate any identified impacts on local fire protection and emergency medical response services.***
  - b. *The Fire Protection and Emergency Services Needs Assessment should address emergency fire and medical response and equipment, staffing, and location needs.***

## RESPONSE

Please see response to Data Request A98.

**Technical Area:** Waste Management  
**Author:** Ellen Townsend-Hough, REA

## BACKGROUND

The gasifier will produce a solid vitrified by-product called “gasification solids.” The solids are comprised of ash from coal and petcoke that exit the gasifier. During operation the gasifier may produce as much as 246,016 cubic yards per year of solids. The large volume of gasifier solids could negatively impact capacity of Kern County landfills. Assuming the gasifier solids are non-hazardous and that a market for the solids is not immediately available, all non-hazardous wastes would be recycled to the extent possible and non-recyclable wastes would be collected by a licensed hauler and disposed in a solid waste disposal facility, in accordance with Title 14, California Code of Regulations, section 17200 et seq. CalRecycle is California’s authority on recycling, waste reduction, and product reuse. Under the authority of the California Department of Resources Recycling and Recovery (now CalRecycle formerly California Integrated Waste Management Board) jurisdictions such as Kern County are currently required to divert 50 percent of their waste from landfill disposal; this percentage is due to change in the summer 2012 under AB341. Jurisdictions select and implement the combination of waste prevention, reuse, recycling, and composting programs that best meet the needs of their community while achieving the diversion requirements. SB 1016, Wiggins (Chapter 343 Statutes of 2008), introduced a per capita disposal measurement system that measures the percentage of diversion requirement using a disposal measurement equivalent.

Another option for disposal of gasification solids would be to dispose of waste out of state. According to Title 14, California Code of Regulations (CCR) Section 18808.9, a public contract hauler who exports solid waste from California shall provide the county that the waste originated from with a report of the total volume of solid waste exported from each jurisdiction. The hauler shall identify the name of the disposal site and the state, county, or other authorized jurisdiction to which the waste was sent.

## DATA REQUEST

***A123. Please describe what if any arrangements have been made with Kern County officials for reuse, recycling or disposal of the gasification solids, and reporting of volumes recycled and disposed, and potential impacts to county facilities from recycling and disposal.***

## RESPONSE

The Applicant has met with Kern County and discussed its intent to reuse its gasification solids. The Applicant is currently preparing a white paper detailing preferred reuse options as well as a more detailed study to verify potential uses and identify off takers. The Applicant has informed the County that the fallback plan for gasification solids will be disposal at a permitted solid waste disposal facility. The Applicant anticipates that in the event in-state disposal is required, the County will seek mitigation from the Applicant.



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
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**AMENDED APPLICATION FOR CERTIFICATION  
FOR THE HYDROGEN ENERGY  
CALIFORNIA PROJECT**

**Docket No. 08-AFC-08A  
PROOF OF SERVICE  
(Revised 12/24/12)**

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\*Indicates Change

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ANDREW McALLISTER  
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Raoul Renaud  
Hearing Adviser

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DECLARATION OF SERVICE

I, Dale Shileikis, declare that on January 31, 2013, I served and filed copies of the attached Responses to CEC Data Requests Set One – Nos. A98, A99 and A123, dated January, 2013. This document is accompanied by the most recent Proof of Service list, which I copied from the web page for this project at: [http://www.energy.ca.gov/sitingcases/hydrogen\\_energy/index.html](http://www.energy.ca.gov/sitingcases/hydrogen_energy/index.html).

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, as appropriate, in the following manner:

*(Check one)*

**For service to all other parties and filing with the Docket Unit at the Energy Commission:**

  X   I e-mailed the document to all e-mail addresses on the Service List above and personally delivered it or deposited it in the US mail with first class postage to those parties noted above as "hard copy required"; **OR**

       Instead of e-mailing the document, I personally delivered it or deposited it in the US mail with first class postage to all of the persons on the Service List for whom a mailing address is given.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated:   1/31/13  

  
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