

LATHAM & WATKINS LLP

650 Town Center Drive, 20th Floor
Costa Mesa, California 92626-1925
Tel: +1.714.540.1235 Fax: +1.714.755.8290
www.lw.com

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DOCKET	
07-AFC-3	
DATE	MAY 06 2010
RECD.	MAY 06 2010

May 6, 2010

File No. 030137-0012

VIA FEDEX

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-3
1516 Ninth Street, MS-4
Sacramento, California 95814-5512

Re: CPV Sentinel Energy Project: Docket No. 07-AFC-3

Dear Sir/Madam:

Pursuant to California Code of Regulations, title 20, sections 1209, 1209.5, and 1210, enclosed herewith for filing please find the Supplemental Declaration of John Lague regarding Air Quality.

Please note that the enclosed submittal was filed today via electronic mail to your attention and to all parties on the attached proof of service list.

Very truly yours,



Paul E. Kihm
Senior Paralegal

Enclosure

cc: CEC 07-AFC-3 Proof of Service List (w/encl., via e-mail and U.S. Mail)
Michael J. Carroll, Esq. (w/ encl.)

1 LATHAM & WATKINS LLP
650 Town Center Drive, 20th Floor
2 Costa Mesa, California 92626-1925
Telephone: +1.714.540.1235
3 Facsimile: +1.714.755.8290

4 Attorneys for Applicant

5 State of California
6 Energy Resources
7 Conservation and Development Commission
8

9 IN THE MATTER OF:
10 APPLICATION FOR CERTIFICATION
FOR THE CPV SENTINEL ENERGY
11 PROJECT BY CPV SENTINEL, L.L.C.

Docket No. 07-AFC-03

SUPPLEMENTAL DECLARATION OF JOHN
LAGUE REGARDING AIR QUALITY

12

13 I, John Lague, declare as follows:

14 1. I am employed by URS as a Senior Air Quality Consultant and am duly
15 authorized to make this declaration for the CPV Sentinel Energy Project (07-AFC-03) (Project).

16 Except where stated on information and belief, the facts set forth herein are true of my own
17 personal knowledge and the opinions set forth herein are true and correct articulations of my
18 opinions. If called as a witness, I could and would testify competently to them.

19 2. I earned an M.S. in Meteorology from the Massachusetts Institute of
20 Technology in 1973 and a B.S. in Physical Sciences from the University of California, Davis, in
21 1970. I have worked continuously in the air quality consulting field since 1971 and I have
22 managed the preparation of air quality analyses for numerous facilities.

23 3. This rebuttal testimony is in response to the Final Staff Assessment Air
24 Quality Addendum dated April 15, 2010, and supplements my previous testimony filed with the
25 Energy Commission on April 21, 2010 (Docket Log No. 56361). In addition to the exhibits
26 sponsored by my prior testimony, in support of this rebuttal testimony, I am also sponsoring the
27 following exhibits which I assisted in preparing or am otherwise familiar with: the Final
28 Coachella Valley PM10 Redesignation Request and Maintenance Plan, filed with the Energy

1 Commission on April 29, 2010 (Exhibit No. 146), and Applicant's Comments on the Final Staff
2 Assessment Air Quality Addendum, filed with the Energy Commission on May 3, 2010 (Exhibit
3 No. 147).

4 4. Table 4 of the Final Staff Assessment Air Quality Addendum sets forth the
5 maximum short term ambient concentrations for criteria pollutants measured at monitoring
6 stations in the vicinity of the Project. This data was utilized by Staff to establish conservative
7 background levels of criteria pollutants for purposes of evaluating project impacts. Staff selected
8 the highest value recorded in the most recent three years for which data was available as the
9 recommended background concentrations, which are set forth in Air Quality Table 5. During the
10 period of time that the Project AFC has been under review, more recent monitoring data has been
11 collected and is now available from the California Air Resources Board. Attached is a printout
12 from the California Air Resources Board website that shows the highest recorded PM2.5 and
13 PM10 concentrations for 2008 and 2009 at both the Indio-Jackson Street Monitoring Station and
14 the Palm Springs – Fire Station Monitoring Station.

15 5. In the case of PM2.5, the data from 2008 and 2009 at both monitoring
16 stations reflect a continuation of the downward trend generally reflected in Table 4. The Indio-
17 Jackson Street Monitoring Station recorded maximum values of 21.5µg/m³ and 17.0 µg/m³ in
18 2008 and 2009, respectively. The Palm Springs – Fire Station Monitoring Station recorded
19 maximum values of 18.1µg/m³ and 10.3 µg/m³ in 2008 and 2009, respectively. This more
20 recent data clearly indicates that the now outdated 2005 reading from the Indio-Jackson Street
21 Monitoring Station of 44.4 µg/m³, which Staff has used as its recommended background
22 concentration, is an aberration. The highest recorded concentration during the three years of
23 available data (2007-2009) is 21.5µg/m³ recorded at the Indio-Jackson Monitoring Station in
24 2008. Applicant recommends that Staff substitute this background concentration for the 44.4
25 µg/m³ concentration currently reflected in Air Quality Table 5 and Air Quality Table 13.

26 6. In the case of PM10, the data from 2008 and 2009 also reflect a consistent
27 downward trend in ambient concentrations. The Indio-Jackson Street Monitoring Station
28 recorded maximum values of 128.0µg/m³ and 68.0 µg/m³ in 2008 and 2009, respectively. The

1 Palm Springs – Fire Station Monitoring Station recorded maximum values of 75.0 $\mu\text{g}/\text{m}^3$ and
2 24.0 $\mu\text{g}/\text{m}^3$ in 2008 and 2009, respectively. This data further supports the position that
3 SCAQMD has taken in its PM10 Redesignation Request for the Coachella Valley (Applicant's
4 Exhibit 146) that the 2007 reading at the Indio- Jackson Street Monitoring Station of 211 $\mu\text{g}/\text{m}^3$,
5 which Staff is using as its recommended background concentration, should be excluded in
6 accordance with EPA's Natural Event Policy. The data point is clearly out of line with all of the
7 other available data. Excluding this data point, the highest recorded concentration during the
8 three years of available data (2007-2009) is 128 $\mu\text{g}/\text{m}^3$ recorded at the Indio- Jackson Street
9 Monitoring Station in 2008. Applicant recommends that Staff substitute this background
10 concentration for the 211 $\mu\text{g}/\text{m}^3$ concentration currently reflected in Air Quality Table 5 and Air
11 Quality Table 13.

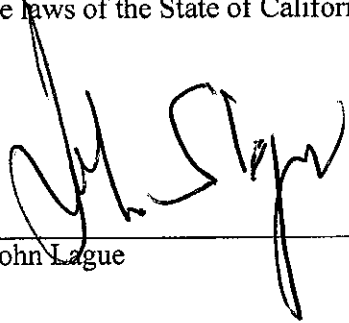
12 7. Subject to the information provided herein, the content of the above-
13 referenced exhibits is true and accurate to the best of my information and belief.

14 8. I hereby offer the above-referenced exhibits into evidence.

15 9. Based on the information and analysis contained herein and in my
16 previous testimony, it is my expert opinion that the Project will not have a significant adverse
17 impact on air quality and will comply with all applicable laws, ordinances, regulations and
18 standards.

19 Executed on May 6, 2010, at San Diego, California.

20 I declare under penalty of perjury of the laws of the State of California that the
21 foregoing is true and correct.

22
23
24 
25
26
27
28
John Lague



[FAQs](#)

Select 8 Summary

Monitoring Sites	PM2.5		PM10	
	High National 24-Hour Average		High National 24-Hour Average	
	2008	2009	2008	2009
	Riverside County			
Indio-Jackson Street	21.5	17.0	128.0	68.0
Palm Springs-Fire Station	18.1	10.3	75.0	24.0

Notes: PM10 statistics may include data that are related to an exceptional event.
 * There was insufficient (or no) data available to determine the value.

Go to: [Data Statistics Home Page](#) [Select 8 Summary Start Page](#)

**STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

In the Matter of:) Docket No. 07-AFC-3
)
Application for Certification,) **PROOF OF SERVICE**
for the CPV SENTINEL ENERGY PROJECT)
) (March 24, 2010)
)
_____)

APPLICANT

Mark Turner
Project Manager
CPV Sentinel, LLC
55 Second Street, Suite 525
San Francisco, California 94105
mturner@cpv.com

Dale Shileikis
Vice President
URS Corporation
221 Main Street, Suite 600
San Francisco, CA 94105-1917
dale_shileikis@urscorp.com

INTERESTED AGENCIES

California ISO
E-mail preferred
e-recipient@caiso.com

Mohsen Nazemi
South Coast Air Quality Management District
21865 E. Copley Drive
Diamond Bar, California 91765-4178
mnazemi@aqmd.gov

CPV SENTINEL ENERGY PROJECT
CEC Docket No. 07-AFC-3

INTERVENORS

Angela Johnson Meszaros

CA Communities Against Toxics
1107 Fair Oaks Avenue, #246
South Pasadena, CA 91030
Angela@CleanAirMatters.net

Shana Lazerow

Communities for a Better Environment
1440 Broadway, Suite 701
Oakland, California 94612
slazerow@cbeocal.org

ENERGY COMMISSION

James D. Boyd

Vice Chair and Presiding Member
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
jboyd@energy.state.ca.us

Kenneth Celli

Hearing Officer
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
kcelli@energy.state.ca.us

John Kessler

Project Manager
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
jkessler@energy.state.ca.us

Caryn Holmes

Staff Counsel
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
cholmes@energy.state.ca.us

CPV SENTINEL ENERGY PROJECT
CEC Docket No. 07-AFC-3

Jennifer Jennings

Public Adviser

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street

Sacramento, California 95814-5512

Publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Paul Kihm, declare that on May 6, 2010, I served and filed copies of the attached:

SUPPLEMENTAL DECLARATION OF JOHN LAGUE REGARDING AIR QUALITY

to all parties identified on the Proof of Service List above in the following manner:

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- Transmission by depositing one original paper copy with FedEx overnight mail delivery service at Costa Mesa, California, with delivery fees thereon fully prepaid and addressed to the following:

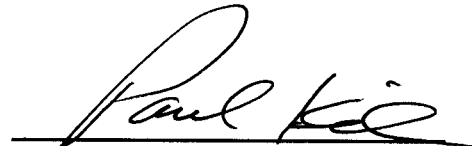
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- by depositing one paper copy with the United States Postal Service via first-class mail at Costa Mesa, California, with postage fees thereon fully prepaid and addressed as provided on the Proof of Service list to those addresses **NOT** marked "email preferred."

I further declare that transmission via U.S. Mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 6, 2010, at Costa Mesa, California.


Paul Kihm