

Memorandum

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To: Dockets Office

Date : June 19, 2008

From: Lisa DeCarlo, Senior Staff Counsel 
California Energy Commission
1516 Ninth Street
Sacramento CA 95814-5512

Subject: Docket 06-AFC-7 - Staff's Exhibits from June 17, 2008 Evidentiary Hearing

The attached documents were entered into the record by staff at the Humboldt Bay Repowering Project June 17, 2008 Evidentiary Hearing:

Exhibit 210: Modifications to proposed condition of certification Public Health-1

Exhibit 211: Modifications to proposed conditions of certification Cul-8 and Cul-9

Commissioning and
PROPOSED CONDITIONS OF CERTIFICATION

PUBLIC HEALTH-1 The project owner shall not operate the Wartsila engines on diesel fuel for a period exceeding 510 hours per year total for all 10 engines, with the exception of the first year when compliance testing is required and the hours may not exceed 650. Once the health risk assessment prepared pursuant to **PUBLIC HEALTH-2** is approved by the CPM, the CPM will notify the project owner of the total number of engine hours on diesel fuel the project may operate annually, as determined by what the health risk assessment shows as the maximum number of hours that achieve a theoretical maximum cancer risk at the point of maximum impact of less than 10 in one million and acute and chronic Hazard Indices of less than 1.0. The CPM may also, based upon the results of the compliance testing and the health risk assessment, allow the use of an emission rate in pounds per year (lbs/yr) of diesel particulate matter as the limitation of operation when on diesel fuel in lieu of hours per year so long as the CPM can verify the emissions on a daily and yearly basis through objective criteria. The 510 total hours of operation for all engines using diesel fuel, and any subsequently adjusted number of hours, shall not include time needed for compliance testing required as per condition **AQ-167** if the testing is conducted when the wind direction is out of the east or south east. ~~Compliance testing required per condition **AQ-167** shall also not occur between 7:30 am and 3:30 pm on days when the South Bay Elementary School is in session.~~

Verification: The project owner shall provide hourly logs of diesel fuel usage to the CPM in the Annual Compliance Report Summary. The log shall include the unit number, duration, purpose (annual compliance testing, natural gas curtailment or emergency), and wind direction, ~~and whether South Bay Elementary School is in session.~~

PUBLIC HEALTH-2 The project owner shall provide the results of a source test using diesel fuel on the number of engine exhaust stacks required below and a human health risk assessment (HRA) to the Compliance Project Manager (CPM). The source test and human health risk assessment shall be conducted according to protocols reviewed and commented on by the North Coast Unified Air Quality Management District and reviewed and approved by the CPM, and shall be submitted to the CPM not less than 60 days after the date of starting commercial operations. The source test shall be consistent with and conducted at the same time as testing required under Condition of Certification AQ-167. The source test and HRA shall include the quantitative analysis and assessment of the following toxic air contaminants: diesel particulate matter in the exhaust stream both before and after the oxidative catalyst, acetaldehyde, acrolein,

HBRP
6/13/08
revised Cultural Resources CoCs 8-9

[All changes to Cul-8 and Cul-9 entail the deletion of mention of the transmission line tower already removed by PG&E, with one exception: The particular office of the HDP with which the applicant's architectural historian must consult is specified.]

CUL-8 Prior to the demolition of the rail spur and transmission line tower associated with Unit 3, and the storage building (#7069) associated with Units 1 and 2, the project owner shall obtain the services of an architectural historian. The project owner shall provide the CPM with the name and resume of the architectural historian. No ground disturbance shall occur prior to CPM approval of the architectural historian, unless specifically approved by the CPM.

The resume for the architectural historian shall include names and telephone numbers of contacts familiar with the architectural historian's work and all information needed to demonstrate that the architectural historian has the following qualifications:

1. meets the Secretary of Interior's Professional Standards for architectural history;
2. has at least three years' experience in recording twentieth-century industrial structures; and
3. has completed at least one recordation project within the past five years involving coordination with the National Park Service's Heritage Documentation Program (HDP).

Verification:

1. At least 45 days prior to demolition of the storage building (#7069), the transmission tower, and the on-site railroad spur, the project owner shall submit the name and resume of the selected architectural historian to the CPM for review and approval.
2. At least 35 days prior to the demolition of the storage building (#7069), the transmission tower, and the on-site railroad spur, the project owner shall confirm in writing to the CPM that the approved architectural historian is available for onsite work and provide a date by which the architectural historian will undertake the HAER documentation of the three structures.

CUL-9 Prior to the demolition of the rail spur and transmission line tower associated with Unit 3, and the storage building (#7069) associated with Units 1 and 2, the project owner shall ensure that the approved architectural historian prepares documentation of these structures to the standards of the Historic American Engineering Record (HAER). The project owner shall ensure that the

architectural historian consults with the HABS/HAER Coordinator in the Pacific West Regional Office of the HDP, in ~~Oakland~~ Washington, D. C., and complies with ~~HDP~~ the Coordinator's guidance on the extent and content of documentation appropriate for these structures, as contributing elements of a probable National Register of Historic Places-eligible district and as a significant historical resource under CEQA, and on the format and materials to be used in the documentation.

To provide for the contingency that the HDP may require additional information after reviewing the architectural historian's draft documentation, the project owner shall ensure that the architectural historian over-records (for example, "brackets" all photographs; takes duplicate photogrammetric readings and measurements, if required by the HDP; makes copies daily of all field notes and logs and retains them in a separate location), in the field, those physical aspects (e.g., measurements, photographs, and photogrammetry) of the storage building (#7069), transmission tower, and the on-site railroad spur that will not be accessible after these structures have been demolished.

No ~~ground disturbance or demolition of the transmission line tower, rail spur, or storage building (#7069)~~ shall occur prior to the completion by the architectural historian of the over-recording (defined above), in the field, of the three structures, and the submission to and approval by the CPM of the draft HAER documentation, unless specifically allowed by the CPM.

The project owner may make available to the architectural historian original architectural drawings of Units 1 and 2 and associated structures, and photographs of their construction held in its files, so these can be submitted as part of the HAER documentation instead of new measured drawings.

Verification:

1. At least 20 days prior to demolition of the storage building (#7069), ~~the transmission tower, and the on-site railroad spur,~~ the project owner shall submit to the CPM a letter or memorandum from the architectural historian detailing the scope of the HDP-recommended documentation of the three structures.
2. At least 15 days prior to demolition of the storage building (#7069), ~~the transmission tower, and the on-site railroad spur,~~ the project owner shall provide a copy of the draft HAER documentation of these structures to the CPM for review and approval.
3. The owner shall retain copies of the CPM-approved HAER documentation of the rail spur and transmission line tower associated with Unit 3, and the storage building (#7069) associated with Units 1 and 2. In the event that the rest of the HBPPHD structures are also documented to HAER standards, the owner shall include the HAER documentation of the rail spur and transmission line tower associated with Unit 3, and the storage building (#7069) associated with Units 1 and 2, in the HBPPHD HAER documentation package and carry out the disposition that is provided in

CUL-11. In the event that the rest of the HBPPHD structures are not documented to HAER standards, the owner shall donate the HAER documentation of the rail spur and transmission line tower associated with Unit 3, and the storage building (#7069) associated with Units 1 and 2, to the same repository as the HBPP materials donated under **CUL-12.**