



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

DOCKET

08-AFC-1

DATE JUN 22 2009

RECD. JUN 29 2009

June 22, 2009

Joseph Douglas
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Project: Avenal Energy Project (08-AFC-1)
District Reference No: 20080200

Dear Mr. Douglas:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Final Staff Assessment for the proposed Avenal Energy Project (08-AFC-1). The approval of the project would allow the operation of a 600-megawatt combined cycle electric power plant. The District offers the following comments:

- Chapter 4.1 Air Quality includes discussions on the regulatory environment, existing air quality conditions, and project related emissions. Table 8 (page 4.1-15) identifies project related construction emissions as exceeding the District's 10 ton per year threshold of significance for NOx. The Final Staff Assessment concludes that with mitigation, construction emissions would be less than significant. The conclusion appears predicated on the assumption that compliance with mitigation measure AQ-SC5, which requires the use of engines meeting Tier 2 requirements, when possible, on all equipment greater than 100 horsepower will reduce construction emissions to a level of less than significant. To support the conclusion, the District recommends that Table 8 be amended to include estimates of both unmitigated and mitigated emissions. If the analysis demonstrates that project construction related impacts on air quality would exceed District thresholds, the District recommends that the CEC consider imposing additional mitigation measures.
- References to Avenal Power 2008b and AFC Appendix 6.2 are made throughout the discussions on air quality (Chapter 4.1) and public health (Chapter 4.7). However, the reference material is not included as part of the final assessment provided to the District for review. To ensure full disclosure to the public, the District recommends that all reference material be included as appendices with the document.

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If you have any questions or require further information, please call Jessica Willis at (559) 230-5818.

Sincerely,

David Warner
Director of Permit Services



for Arnaud Marjollet
Permit Services Manager

DW:jw

Cc: File



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA
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APPLICATION FOR CERTIFICATION
For the AVENAL ENERGY PROJECT

Docket No. 08-AFC-1
PROOF OF SERVICE
(Revised 6/17/2009)

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DECLARATION OF SERVICE

I, April Albright, declare that on June 29, 2009, I served and filed copies of the attached San Joaquin Air Pollution Control District's Final Staff Assessment Comments, dated June 22, 2009. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

[www.energy.ca.gov/sitingcases/avenal].

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

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses NOT marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (*preferred method*);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-1

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.

Original signed by

April Albright