

DOCKETED

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Project Title:	Genesis Solar Energy Project
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Document Title:	Notice of Determination for Petition to Amend Gas Cylinder Storage Area
Description:	Notice of Determination (NOD) for Staff Approved Project Modification (SAPM) for Genesis Solar request for gas cylinder storage
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CALIFORNIA ENERGY COMMISSION

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**NOTICE OF DETERMINATION
PETITION TO AMEND
GAS CYLINDER STORAGE AREA
FOR THE GENESIS SOLAR ENERGY PROJECT
(09-AFC-8C)**

On July 18, 2016, Genesis Solar, LLC (NextEra Energy), filed a Petition to Amend (PTA) with the California Energy Commission requesting to modify the Energy Commission's 2010 Final Decision (Decision) for the Genesis Solar Energy Project (GSEP) to allow the storage of gas cylinders ("H" size) in the common area of the power plant. The PTA was originally filed including a tank storage area for ammonia, one each in Unit 1 and Unit 2; however, the owner requested that the review of the ammonia portion be postponed until a future date.

The 250 megawatt (MW) project was certified by the Energy Commission on September 29, 2010 and began commercial operation on March 7, 2014. The GSEP is located at 11995 Wileys Well Road, north of Interstate 10, approximately 22 miles west of Blythe, California in Riverside County.

This Notice of Determination (NOD) is being provided to interested parties and property owners adjacent to the facility site. This NOD has been mailed to the GSEP post-certification mail list and sent electronically to the Genesis listserv.

DESCRIPTION OF PROPOSED MODIFICATION

NextEra Energy is proposing to install a cement pad, with shade covering, to accommodate the storage of 12 cylinders each of acetylene, argon, nitrogen, and oxygen. The construction will take about 3 weeks. The PTA is available on the Energy Commission's GSEP webpage at http://www.energy.ca.gov/sitingcases/genesis_solar/

ENERGY COMMISSION STAFF REVIEW AND DETERMINATION

Energy Commission technical staff reviewed the PTA for potential environmental effects and consistency with applicable laws, ordinances, regulations, and standards (LORS). Staff has determined that the technical or environmental areas of Efficiency, Reliability, Transmission Line Safety and Nuisance, and Transmission System Engineering are not affected by the proposed changes.

For the technical areas of Air Quality, Biological Resources, Cultural Resources, Facility Design, Geological and Paleontological Resources, Hazardous Materials Management, Land Use, Noise and Vibration, Public Health, Socioeconomics, Soil and Water Resources, Traffic and Transportation, Visual Resources, Waste Management, and Worker Safety and Fire Protection, staff has determined that impacts on the environment are less than significant and no revised or new conditions of certification are needed to ensure the project remains in compliance with all applicable LORS. In addition, the project modification would not affect any population including an Environmental Justice population as there is no Environmental Justice population within 6 miles of the site. Staff notes the following for each of these technical areas:

- **Air Quality.** The proposed modification would result in negligible air quality and greenhouse gas related impacts. Continued implementation of Conditions of Certification **AQ-SC3** through **AQ-SC7** related to fugitive dust and engine emissions for off-road equipment will mitigate short-term construction emissions to a less-than-significant level, and the facility would continue to comply with all applicable LORS.
- **Biological Resources.** The modification would have a less than significant effect on biological resources with implementation of existing Conditions of Certification **BIO-6** (Worker Environmental Awareness Program training), **BIO-7** (Biological Resources Mitigation Implementation and Monitoring Plan), and **BIO-8** (Impact Avoidance and Minimization Measures), and the project would remain in compliance with all LORS.
- **Cultural Resources.** The modification would take place in an area previously surveyed for cultural resources; therefore there are no known resources that could be impacted. In the unlikely event of a discovery of buried cultural resources, any potentially significant impacts would be mitigated by Conditions of Certification **CUL-1** through **CUL-13**.
- **Facility Design.** Installation of the cement pad must comply with the 2013 California Building Code and related engineering LORS. Implementation of the existing Facility Design conditions of certification adopted in the Decision would ensure this.
- **Geological and Paleontological Resources.** The modification would have no significant impact on geologic resources, paleontological resources, or impacts to public health and safety due to geologic hazards. Ongoing compliance with current geology LORS and with Condition of Certification **GEN-1** specified in the Decision would mitigate the effects of geologic hazards at the site.
- **Hazardous Materials Management.** During the installation of the cement pad for the spare “H” cylinders, several hazardous materials will be used onsite. The new “H” cylinders will be added to the annual compliance report under the existing Condition of Certification **HAZ-1**. No extremely hazardous or regulated hazardous materials will be used on site specifically for the installation of the cement pad. Therefore, with NextEra Energy’s continued compliance with existing conditions of certification, **HAZ-1** specifically, the proposed modification would not have a significant effect on the environment and would continue to comply with all applicable LORS.

- **Land Use.** The proposed storage structures would be centrally located on the site and would be relatively small in size. Land use impacts would be insignificant.
- **Noise and Vibration.** Construction work associated with installation of the cement pad to be used for the storage of the gas cylinders would occur during the daytime hours and would be short-term. Any noise generated during this activity would result in a less-than-significant impact with implementation of the existing Noise conditions of certification adopted in the Decision. Operational noise impacts would not be affected by this petition and the project would continue to comply with LORS.
- **Public Health.** The modification allowing the gas cylinder storage area would have a negligible effect on public health from the particulate matter emitted from service vehicles during the construction period. With implementation of existing conditions of certification, the project would continue to comply with all applicable LORS.
- **Socioeconomics.** Installation of the gas cylinder storage area would require approximately 3-4 workers for approximately 3 weeks, and would have insignificant workforce-related impacts on housing and community services.
- **Soil and Water Resources.** Condition of Certification **SOIL&WATER-1** requires the project owner to prepare and maintain a Drainage Erosion and Sediment Control Plan (DESCP) when land is disturbed and there is potential for soil erosion and stormwater runoff. If the gas cylinder storage area is placed on site as proposed, the DESCP should be updated as necessary. The proposed modification would not require any action for any other **SOIL&WATER** conditions. If the project owner complies with Condition of Certification **SOIL&WATER-1** any potential impacts from soil erosion and stormwater runoff would be mitigated, and the project would continue to comply with all applicable LORS.
- **Traffic and Transportation.** The proposed modification would have insignificant traffic and transportation impacts as the proposed activities would require three to four workers over a three week construction period. Conditions of Certification **TRANS-1, TRANS-2, TRANS-3, TRANS-4, and TRANS-5** in the Decision are applicable.
- **Visual Resources.** The new structure would be small in size (7 feet and 9 inches tall) and located next to existing structures, minimizing its visual impacts. However, the roof of the awning is proposed to be ASC steel deck, which could be reflective, and it is important that any new structures blend into the surroundings as much as possible, in accordance with Condition of Certification **VIS-1** in the Decision. The project owner must comply with **VIS-1** by submitting a surface treatment plan for the new shade covering structure to the compliance project manager for approval prior to construction. With implementation of this condition of certification, the new cylinder storage area would have less than significant impacts to visual resources.
- **Waste Management.** The project would generate small amounts of hazardous and non-hazardous materials during construction, including empty containers, and possibly trace amounts of miscellaneous building materials. Continued implementation of existing Condition of Certification **WASTE-4** would ensure that

waste generated during construction is tracked and disposed of at the proper facilities, maintaining compliance with LORS.

- **Worker Safety and Fire Protection.** The installation of the gas cylinder storage area would comply with worker safety and fire safety requirements already contained in health and safety plans utilized for construction of the main facility per Condition of Certification **WORKER SAFETY-1**.

Staff's conclusions for each technical or environmental area are summarized in the table on the following page.

Summary of Staff Responses to Petition

TECHNICAL/ENVIRONMENTAL AREAS REVIEWED	STAFF RESPONSE			Revised Conditions of Certification Recommended
	Technical Area Not Affected	No Significant Environmental Impact or LORS Inconsistency*	Process As Amendment	
Air Quality		X		
Biological Resources		X		
Cultural Resources		X		
Efficiency	X			
Facility Design		X		
Geological and Paleontological Resources		X		
Hazardous Materials Management		X		
Land Use		X		
Noise and Vibration		X		
Public Health		X		
Reliability	X			
Socioeconomics		X		
Soil and Water Resources		X		
Traffic and Transportation		X		
Transmission Line Safety and Nuisance	X			
Transmission System Engineering	X			
Visual Resources		X		
Waste Management		X		
Worker Safety and Fire Protection		X		

*There is no possibility that the proposed modifications would have a significant effect on the environment, and the modifications would not result in a change in or deletion of a condition adopted by the Commission in the Final Decision, or make changes that would cause project noncompliance with any applicable laws, ordinances, regulations, or standards (Cal. Code Regs., tit. 20, § 1769 (a) (2)).

Section 1769(a) (2), Title 20, California Code of Regulations states, “(w)here staff determines that there is no possibility that the modifications may have a significant effect on the environment, and if the modifications will not result in a change or deletion of a condition adopted by the commission in the final decision or make changes that would cause the project not to comply with any applicable laws, ordinances, regulations, or standards, no commission approval is required...”

Energy Commission staff has determined for this petition that:

- The modification will not have any significant effect on the environment;
- Existing conditions of certification are sufficient to cover the proposed modification without changes to, or deletions of, any conditions of certification; and
- The project as modified will maintain full compliance with applicable LORS.

Pursuant to section 1769(a)(2) and based on staff’s determinations, formal approval by the full Commission at a noticed Business Meeting is not required.

Any person may file an objection to staff’s determination within 14 days of the date of this NOD on the grounds that the project modification does not meet the criteria set forth in section 1769(a)(2). Absent any relevant objections, this NOD will be approved 14 days after this notice is docketed. An objection to staff’s determination may be submitted using the Energy Commission’s e-commenting feature, as follows: Go to the Energy Commission’s Genesis webpage and click on the “Submit e-Comment” link. Provide contact information - a full name, e-mail address, comments Title, and either a comment or attached documents are required. The comment Title should be “[Your Name]’s Comments re Genesis Determination.” Type your comments into the “Comment Text” field, or upload a document with your comments. The maximum upload file size is 10MB, and only .doc, .docx, or .pdf attachments will be accepted. Enter the CAPTCHA that is used to prevent spamming. Then click on the “Agree and Submit your Comments” button to submit your comments to the Energy Commission Dockets Unit for review. When your comments are approved and docketed, you will receive an e-mail with a link to them on the facility webpage.

Written comments or objections may also be mailed or hand-delivered to:

California Energy Commission
Dockets Unit, MS-4
Docket No. 09-AFC-8C
1516 Ninth Street
Sacramento, CA 95814-5512

All comments and materials filed with and approved by the Dockets Unit will be added to the facility Docket Log and be publically accessible on the Energy Commission’s webpage for the facility.

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If you have questions about this NOD, please contact Eric Veerkamp, Compliance Project Manager, at (916) 654-4295, or by fax to (916) 654-3882, or via e-mail at eric.veerkamp@energy.ca.gov.

For information on participating in the Energy Commission's review of the Genesis PTA, please contact Alana Mathews, Public Adviser at (916) 654-4489, or at (800) 822-6228 (toll-free in California) or send an e-mail to publicadviser@energy.ca.gov. News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by e-mail at mediaoffice@energy.ca.gov.

Date: September 16, 2016

Christine Root, Compliance Office Manager
Siting, Transmission, and
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