

Memorandum

Date: April 15, 2010
Telephone: (916) 654-4894

To: Vice Chairman James D. Boyd, Presiding Member
Chairman Karen Douglas, Associate Member
Chief Hearing Officer Paul Kramer

From: California Energy Commission – Mike Monasmith
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| DOCKET | |
| 08-AFC-3 | |
| DATE | APR 15 2010 |
| RECD. | APR 15 2010 |

Subject: **MARSH LANDING GENERATING STATION (08-AFC-3) STATUS REPORT 7**

Pursuant to the Committee Scheduling Order dated December 31, 2008, the following is staff's Status Report #7 for the proposed Marsh Landing Generating Station (MLGS) Application for Certification (AFC). MLGS would be located on the site of the existing Contra Costa Power Plant (CCPP), adjacent to the Gateway Generating Station, north of the City of Antioch. The 760 megawatt natural gas-fired facility would be comprised of four simple-cycle power blocks using on-site degraded groundwater for industrial purposes.

Staff Assessment Schedule

As was reported in Status Report #6, Mirant Marsh Landing, LLC (applicant) filed a supplement to the MLGS AFC on September 16, 2009 that included switching the project's water source and its combustion turbine configuration. In Status Report #6, staff also reported our intention to file the Staff Assessment (SA) for the MLGS project by today, April 15, 2010. However, while staff has predominately completed its SA, for reasons articulated below, we will not publish the SA as previously indicated.

Staff received the Preliminary Determination of Compliance (PDOC) for the MLGS AFC from the Bay Area Air Quality Management District (BAAQMD) on March 22, 2010. Accordingly, staff is concluding its testimony for both air quality and public health project impacts, which will be reflected in the forthcoming SA.

On March 17, 2010, the applicant (and Pacific Gas & Electric, the original owner/operator of the CCPP) prepared a Facility Investigation and Risk Assessment Work Plan (Plan) for the entire power plant complex site, including the above ground storage tank farm where MLGS will be sited. This Plan, and an April 8, 2010 Plan Addendum submitted to the Department of Toxic Substances Control (DTSC), required additional time by staff to complete the Waste Management section of the Staff Assessment.

Staff will publish the Marsh Landing SA on or before April 23, 2010. A Staff Assessment Workshop will occur approximately two weeks following publication of the SA. Subsequent to the workshop, staff expects to docket the Final Determination of Compliance from the BAAQMD and will also file any necessary revisions to the SA. Staff will then await Committee direction on the filing of testimony and a schedule for evidentiary hearings.

PROOF OF SERVICE (REVISED 2/17/10) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 4-15-10

TKG



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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1-800-822-6228 – WWW.ENERGY.CA.GOV

**APPLICATION FOR CERTIFICATION
FOR THE MARSH LANDING
GENERATING STATION**

Docket No. 08-AFC-3

PROOF OF SERVICE
(Revised 2/17/2010)

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DECLARATION OF SERVICE

I, Teraja` Golston, declare that on April 15, 2010, I served and filed copies of the attached (08-AFC-3) Marsh Landing – CEC Status Report #7. 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:

[<http://www.energy.ca.gov/sitingcases/marshlanding/index.html>]. 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:

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

X 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:

X 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-3
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I declare under penalty of perjury that the foregoing is true and correct.

Original Signature in Dockets
Teraja` Golston