

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512

September 21, 2009

DOCKET**08-AFC-5**

DATE 9/21/2009

RECD. 9/21/2009

Mr. Jaime Hernandez
Senior APC Engineer
Imperial County Air Pollution Control District
150 South Ninth Street
El Centro, CA 92243

**Re: Comments on Preliminary Determination of Compliance
SES Solar Two Project (08-AFC-5)**

Dear Mr. Hernandez,

California Energy Commission staff has reviewed the Imperial County Air Pollution Control District's Preliminary Determination of Compliance (PDOC) and has the following minor comments for your consideration for inclusion in the Final Determination of Compliance (FDOC).

Comments on PDOC Conditions

Fugitive Dust Mitigation Conditions

Generally, the Energy Commission's license contains the detailed fugitive dust mitigation conditions. While we are not adverse to these conditions also being included in the District's DOC, we would like the District's conditions to reflect the project site specific conditions that staff will be developing to address the specific issue and applicant stipulations for this case. The conditions provided in the PDOC are somewhat dated Energy Commission conditions that are not project site specific. Therefore, we suggest that the District work with Energy Commission staff to incorporate fugitive dust mitigation conditions approved by the Energy Commission and Bureau of Land Management (BLM) in the FDOC, or delete the specific Construction Phase fugitive dust conditions and Facility Roads conditions from the DOC in consideration of the fugitive dust mitigation conditions that will be included in the Energy Commission license/BLM approval.

Emergency Generator

The emergency generator is subject to New Source Performance Standard (NSPS) Subpart IIII. Staff's interpretation of that federal rule is that after 2007 emergency engines the size of that proposed for the SES Solar Two Project will need to meet Tier 3 emission standards (40 CFR §60.4205 (b)). So, staff has two general concerns; first that it be clear in the conditions that the engine will need to meet Tier 3 emission standards, and second if the District has been delegated authority of NSPS Subpart IIII that there is a condition requiring compliance with the requirements of that regulation (including operating hour meter). Staff can provide examples of similar emergency engine conditions approved for other recent cases.

Gasoline Tank

Staff is concerned that the gasoline tank should have at least two District permit conditions. The first condition would require that the tank be equipped with and use Phase I vapor balance controls. The second condition would limit monthly gasoline transfer to vehicles to less than 10,000 gallons per month, as required for the Phase II vapor balance exemption requirements, and require that records of gasoline throughput be kept and maintained as required by District Rule 415 Section D.

Comments on Engineering Evaluation

Emergency Engine Emissions

As noted above the emergency engine emissions should conform to Tier 3 emission standard requirements. Additionally, considering that the annual testing operation is limited to 50 hours by the permit conditions, we would suggest using one hour per day and 50 hours per year to calculate maximum daily and annual emissions rather than the 15 minute per day and 13 hours per year basis that is used in the PDOC.

Gasoline Tank Emissions

The column headings in the emissions calculation table are reversed in terms of the lb/gallon and lbs/1000 gallon emission factors.

Road Dust Emission Calculations

Staff has no specific comments on the PDOC calculations, but we may want to confer with District staff regarding the assumptions used in these PDOC calculations as we complete on-site and off-site air basin-wide emission calculations that will be used to determine General Conformity applicability.

If you have any questions, please contact Matt Layton of my staff at (916) 654-3868. Thank you for the opportunity to comment on the SES Solar Two Project Preliminary Determination of Compliance.

Sincerely,



ERIC KNIGHT, Manager
Environmental Protection Office
Siting, Transmission and Environmental
Protection Division

cc: Docket
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