

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512



DOCKET	
00-AFC-1C	
DATE	<u>May 02 2007</u>
RECD.	<u>May 08 2007</u>

DATE: May 2, 2007

TO: Interested Parties

FROM: Christopher Meyer, Compliance Project Manager

**SUBJECT: Gateway Generating Station (formerly Contra Costa Power Plant Unit 8) (00-AFC-1C)
Staff Analysis of the Proposed Change in Construction Work Hours**

The 530-megawatt project was certified by the Energy Commission on May 30, 2001. Construction of the facility started late in 2001 and was suspended in February of 2002 due to financial difficulties, with approximately seven percent of construction completed. On July 19, 2006, the Energy Commission approved the addition of Pacific Gas and Electric (PG&E) as co-owner of the project with Mirant Delta, LLC. On January 3, 2007, the Energy Commission approved PG&E's petition to remove Mirant as a co-owner and change the name of the facility to the Gateway Generating Station. PG&E restarted construction in February of 2007 and project construction is currently ten percent completed. The facility is located on Wilbur Avenue, east of the city of Antioch, in Contra Costa County.

On April 11, 2007, (PG&E) filed a petition with the Energy Commission requesting to amend the Energy Commission Decision to change construction work hours for the Gateway Generating Station project (formerly known as Contra Costa Power Plant Unit 8).

The proposed modification to Condition of Certification Noise-8 is shown below. New text is shown in underline, while deleted text is shown in strike-out.

NOISE-8 Heavy equipment operation and noisy construction work shall be restricted to the times of day delineated below:

Weekdays Monday through Saturday	<u>7</u> 6 a.m. to <u>6</u> 7 p.m.
Weekdays 8 a.m. to 5 p.m.	
Weekends <u>Sundays</u> and Holidays	9 a.m. to 5 p.m.
<u>Pile Driving and Steam Blows</u>	9 a.m. to 5 p.m.

~~4 – For construction activities within 300 feet of the Sportsmen Yacht Club and San Joaquin Yacht Harbor Residences~~

Energy Commission staff reviewed the petition to assess the impacts of this proposal on environmental quality and public health and safety, and determined that the changes to NOISE-8 are minimal and that no other technical areas are impacted by the changes proposed in the petition. The Noise technical staff reviewed the potential impacts of the proposed change, which are discussed in the attached staff analysis. The review included an evaluation of the consistency of the proposed modifications with the Energy Commission's Decision and whether the project will remain in compliance with applicable laws, ordinances, regulations, and standards (LORS) (*Title 20, California Code of Regulations, section 1769*).

Noise-8 Staff Analysis
May 8, 2007

The petition to amend the project is available on the Energy Commission's webpage at www.energy.ca.gov/sitingcases/contracosta/compliance/index.html. Staff's analysis is enclosed for your information and review. Staff's analysis and the Energy Commission's Order (if approved) will also be posted on the webpage. Energy Commission staff intends to recommend approval of the petition at the May 23, 2007, Business Meeting of the Energy Commission. If you have comments on this proposed modification, please submit them to me at the following address no later than 5:00 P.M., May 21, 2007:

Christopher Meyer, Compliance Project Manager
California Energy Commission
1516 9th Street, MS-2000
Sacramento, CA 95814

Comments may be submitted by fax to (916) 654-3882, or by e-mail to cmeyer@energy.state.ca.us. If you have any questions, please contact me at (916) 653-1639.

For further information on how to participate in this proceeding, please contact the Energy Commission's Public Adviser's Office at (916) 654-4489, or toll free in California at (800) 822-6228, or by e-mail at pao@energy.state.ca.us. If you require special accommodations, please contact Lourdes Quiroz at (916) 654-5146. News media inquiries should be directed to Assistant Director, Claudia Chandler, at (916) 654-4989, or by e-mail at mediaoffice@energy.state.ca.us.

Enclosures:

- Staff Analysis