

Notice of Decision by California Energy Commission



X California Resources Agency
1416 9th Street, Room 1311
Sacramento, CA 95814

From: California Energy Commission
1516 9th Street
Sacramento, CA 95814

Subject: Filing of Notice of Decision in compliance with Public Resources Code Section 21080.5 and Title 20, California Code of Regulations, Section 1768.

DOCKET

00-AFC-1C

DATE Sept 09 2011

RECD. Sept 09 2011

Project Title: **GATEWAY GENERATING STATION**

Energy Commission Docket Number: **00-AFC-1C**

Energy Commission Contact Person: Craig Hoffman Telephone: (916) 654-4781

Project Location: Originally called the Contra Costa Power Plant Unit 8 Power Project, the Gateway Generating Station (GGS) is a 530 megawatt (MW) natural gas-fired, combined cycle combustion turbine power plant. The facility is located on Wilbur Avenue, east of the city of Antioch, in Contra Costa County. The GGS was certified by the California Energy Commission (Energy Commission) on May 30, 2001.

County: Contra Costa

Project Description: The amendment modifies several Air Quality conditions to reflect the Bay Area Air Quality Management District (BAAQMD) current conditions and the Prevention of Significant Deterioration (PSD) enforcement action that has been resolved by an approved Second Amended Consent Decree dated March 3, 2011. The settlement agreement resolved the issues surrounding the federally- issued PSD permit, which generally does not affect the Energy Commission license. The proposed amendment incorporated the more stringent emission limits from the PSD permit into the Energy Commission and Air District permit conditions. The proposed modifications in the petition would modify the Gateway Generation Station conditions of certification to include the following reduced emissions limits:

- A Nitrogen Oxide (NOx) emission limit of 2.0 ppmv, 1-hour average, 15% O2 (excluding start-ups and shut-downs);
- An annual NOx mass emission limit of 139.2 tpy rolling 12-month average;
- An annual Sulfur Dioxide (SO2) mass emission limit of 18.5 tpy rolling 12-month average; and,
- A Particulate Matter (PM10) emission limit of 7.50 lb/hr without duct burners (0.004 lb/mmBtu) and 9.0 lb/hr with duct burners (0.004 lb/mmBtu).

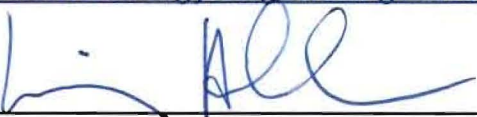
On September 7, 2011, the California Energy Commission approved the above-described project pursuant to a regulatory program certified by the Secretary of Natural Resources under Section 21080.5 of the California Public Resources Code. The effective date of the Energy Commission's decision is September 7, 2011. The Energy Commission concludes that the proposed changes will not result in any significant impact to public health and safety, or the environment. The Energy Commission finds that:

- The petition meets all the filing criteria of Title 20, section 1769(a) concerning post-certification project modifications;
- The modification would not change the findings in the Energy Commission's Final Decision pursuant to Title 20, section 1755;
- The project would remain in compliance with all applicable LORS, subject to the provisions of Public Resources Code section 25525;
- The change would be beneficial to the public by reducing NOx, SO₂, and PM10 emission limits; and
- There has been a substantial change in circumstances since the Energy Commission certification justifying the change and that the change is based on information that was not available to the parties prior to Energy Commission certification in that there was a large time gap between when the Energy Commission/Air District permit was issued and when the PSD permit was issued, such that some emission limits changed. The proposed amendment incorporates the more stringent emission limits from the PSD permit into the Energy Commission and Air District permit conditions.

Statute of Limitations: Notwithstanding Public Resources Code section 21080.5 subdivision (g), any challenge to a certification must be brought within the time specified in Public Resources Code section 25901.

The Energy Commission docket files containing the staff analysis, Commission Order, and other information regarding the project are available to the public at: California Energy Commission, 1516 9th Street, Sacramento, California, 95814. Those documents and other information regarding the project are also available on the Energy Commission's web site located at:

<http://www.energy.ca.gov/sitingcases/gateway/compliance/index.html>



Craig Hoffman, Compliance Project Manager
California Energy Commission

9/9/11
Date

Date received for filing at the Natural Resources Agency:

