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GLORIA D. SMITH

March 12, 2010

DOCKET
09-AFC-8
DATE <u>MAR 12 2010</u>
RECD. <u>MAR 12 2010</u>

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

Re: Genesis Solar Energy Project; 09-AFC-8

Dear Docket Clerk:

Enclosed are an original and one copy of **CALIFORNIA UNIONS FOR RELIABLE ENERGY COMMENTS ON THE PRELIMINARY DETERMINATION OF COMPLIANCE**. Please docket the original, conform the copy and return the copy in the envelope provided.

Thank you for your assistance.

Sincerely,

/s/

Rachael E. Koss

REK:bh
Enc.

2364-031a

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March 12, 2010

By Facsimile and U.S. Mail

Mr. Alan J. De Salvio
Supervising Air Quality Engineer
Mojave Desert Air Quality Management District
14306 Park Avenue
Victorville, CA 92392
Fax: (760) 241-3492

Re: Comments on the Preliminary Determination of Compliance for the Genesis Solar Energy Project (09-AFC-8)

Dear Mr. De Salvio:

We represent California Unions for Reliable Energy (“CURE”). CURE is a party to the Genesis Solar Energy Project (“Project”) licensing case before the California Energy Commission.¹ The Project is proposed by Genesis Solar, LLC (“Applicant”), a wholly owned subsidiary of Nextera Energy Resources, LLC. The Mojave Desert Air Quality Management District (“MDAQMD” or “District”) received the Applicant’s Application for New Source Review on October 8, 2009.² The District published notice of its Preliminary Determination of Compliance (“PDOC”) on February 23, 2010. We submit these comments to address numerous omissions in the PDOC.

A. The District’s Analysis Is Not Adequately Supported

The PDOC fails to provide all of the information necessary for an adequate review of its conclusions. For example, the District refers to the results of an ambient air quality modeling and a health risk assessment but fails to provide any

¹ Application for Certification for the Genesis Solar Energy Project, California Energy Commission Docket No, 09-AFC-8, August 31, 2009.

² Preliminary Decision/Determination of Compliance, Genesis Solar Energy Project, Mojave Desert Air Quality Management District, February 18, 2010, p. 1.

supporting documentation. Similarly, the District claims that the emergency generators and emergency fire pumps would comply with the best available control technology (“BACT”) requirements of Rule 1303 but fails to provide a top-down BACT analysis for these units. Thus, the PDOC fails to include sufficient information for adequate public review.

B. The PDOC Must Analyze and Permit the Project’s Land Treatment Unit

The Project will use a land treatment unit to bioremediate or land farm soil contaminated with heat transfer fluid (“HTF”).³ The HTF-contaminated soil will result in fugitive emissions of volatile organic compounds (“VOCs”). Fugitive VOC emissions from the land treatment unit at the proposed Solar Millennium Ridgecrest Solar Power Project have been estimated at 0.169 lb/day and 0.031 tons/year for one 250-MW power block. (See Exhibit A.) Thus, VOC emissions from the land treatment units serving the Project’s two 125-MW power blocks can also be estimated at .169 lb/day and 0.031 tons/year. The PDOC must contain an estimate of VOC emissions from the land treatment unit and contain adequate permit conditions.

C. The District Must Demonstrate Best Available Control Technology for All Applicable Permit Units

District Rule 1303(A) requires BACT for all new permit units that have the potential to emit 25 pounds per day or 25 tons per year of any non-attainment criteria pollutant. The Project site is located in an area designated as state non-attainment for ozone and PM10. The District states that the Project’s emergency engines would meet BACT.⁴ However, the District does not provide a top-down BACT analysis for the emergency generators or emergency fire pumps. Instead, the District simply claims that “[c]ompliance with the NSPS and ATCM is determined to be BACT for the fire pump and emergency generator engines...”⁵ This statement does not constitute an adequate BACT analysis.

³ AFC, p. 3-17.

⁴ PDOC, p. 7 (“BACT for Each Internal Combustion Engine – Emergency Generator and Fire Pump”).

⁵ PDOC, p. 7.

A Revised PDOC must contain a top-down BACT analysis for all applicable permit units, including, but not limited to, the emergency generators, emergency fire pumps, HTF expansion tank and other units.

**D. The District Must Include a Permit Condition for Tier IV
Emergency Generators**

The U.S. EPA requires that equipment be Tier IV if it is not ordered until 2011. Therefore, the District must require a permit condition specifying that Genesis Solar, LLC must purchase Tier IV emergency generators if the equipment is not ordered by 2011.

E. The District Must Quantify All Toxic Air Contaminant Emissions

The District provides a summary of emission estimates and results of a health risk assessment for emissions of some toxic air contaminants. However, the District omits quantification of a number of toxic air contaminant emissions, including the following: chloroform from the cooling tower; and acenaphthene, acenaphthylene, anthracene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, copper, dibenz(a,h)anthracene, dichlorobenzene, fluoranthene, indeno(1,2,3-cd)pyrene, phenanthrene, pyrene, vanadium, and zinc from the boilers, heaters, emergency generators, and emergency fire pumps. The PDOC must account for these toxic air contaminant emissions.

**F. The District is Required to Release a Completed Analysis for
Public Review**

The PDOC may be issued for public comment only *after* the required analysis has been completed.⁶ The PDOC contains several omissions and its analysis is incomplete. The District failed to: (1) provide support for its ambient air quality modeling and health risk assessment; (2) provide an adequate BACT analysis for all applicable permits; (3) analyze VOC emissions from the bioremediation unit; and (4) analyze all toxic air contaminant emissions. The District's omissions render the PDOC inadequate. Thus, the PDOC must be withdrawn and reissued once the required analysis has been performed.

⁶ District Rules 1306(E)(1) and 1302(D)(1).

G. Conclusion

The District's preliminary determination contains several omissions that must be addressed to enable public review. The District must withdraw the PDOC, address the technical errors in the District's analysis, and reissue a Revised PDOC for public review and comment.

Sincerely,

/s/

Rachael E. Koss

REK:bh

Attachment

cc: Via Email and U.S. Mail
Mike Monasmith
Kenneth Celli, Hearing Officer
California Energy Commission Docket Unit (09-AFC-8)

EXHIBIT A

KERN COUNTY AIR POLLUTION CONTROL DISTRICT

PRELIMINARY DETERMINATION OF COMPLIANCE

2700 "M" Street, Suite 302
Bakersfield, CA 93301-2370
Phone: (661) 862-5250
Fax: (661) 862-5251



Field Office
Phone: (661) 823-9264

ISSUE DATE: MONTH XX, 2010	APPLICATION NO.: 0368006
EXPIRATION: MONTH XX, 2012	DATE: SEPTEMBER 17, 2009

DETERMINATION OF COMPLIANCE IS HEREBY GRANTED TO:

SOLAR MILLENNIUM, LLC

DETERMINATION OF COMPLIANCE IS HEREBY GRANTED FOR:

Bio-Remediation of Hydrocarbon Contaminated Soil

(See attached sheets for equipment description and conditions)

S SW26	T 27S	R 39E	Location: APN: 341-110-02	Startup Inspection
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This document serves as a temporary Permit to Operate only as provided by Rule 201 of the District's Rules and Regulations. For issuance of a Permit to Operate, Rule 208 requires equipment authorized by this Determination of Compliance, be installed and operated in accordance with conditions of approval. Changes to these conditions must be made by application and must be approved before such changes are made. This document does not authorize emission of air contaminants in excess of New Source Review limits (Rule 210.1) or Regulation IV emission limits. Emission testing requirements set forth on this document must be satisfied before a Permit to Operate can be granted.

UPON COMPLETION OF CONSTRUCTION AND/OR INSTALLATION, PLEASE TELEPHONE DISTRICT

Validation Signature:

David L. Jones
Air Pollution Control Officer

CONDITIONS OF APPROVAL:

Pursuant to Rule 209, "conditional approval" is hereby granted. Please be aware compliance with all conditions of approval imposed by any applicable Determination of Compliance remain in effect for life of project, unless modified by application.

EQUIPMENT DESCRIPTION: Bio-Remediation of Hydrocarbon Contaminated Soil, including following equipment and design specifications:

- A. 800-ft. by 200-ft. bio-remediation/land-farm facility,
- B. Irrigation system for bio-remediation/land-farm facility, and
- C. Bio-remediation fertilizer for enhanced bio-remediation.

DESIGN CONDITIONS:

- a. Bio-remediation area shall be lined with minimum 60-mil high density polyethylene (HDPE) or alternate lining approved by Lahontan Regional Water Quality Board (LRWQB). (Rule 210.1)
- b. Permittee shall provide District with depth of bio-remediation operation area. (Rule 210.1)

OPERATIONAL CONDITIONS:

- 1. Visible emissions from bio-remediation/land-farm facility shall not equal or exceed 0% opacity for more than 5 minutes in any two hour period. (Rule 210.1 BACT Requirement)
- 2. Permittee shall have flame ionization detector (FID) or photo ionization detector (PID) on site to measure soil VOC emissions (measured as hexane). (Rule 210.1)
- 3. Permittee shall maintain weekly VOC readings of bio-remediation area during any time it is operated. Permittee shall provide protocol for VOC readings, soil acidity (pH), soil moisture content (% weight), soil temperature (°F), and Nutrient Ratio (C:N:P) to be approved by District staff. (Rule 210.1)
- 4. If soil in bio-remediation area registers a VOC reading of less than 50-ppm by volume, measured three inches above soil surface, with FID or PID compliance with Condition No. 5 is not required. (Rule 210.1)
- 5. If soil in bio-remediation area registers a VOC reading greater than or equal to 50-ppm (calibrated to methane) by volume, measured three inches above soil surface, with FID or PID bio-remediation operation shall comply with the following conditions. (Rule 210.1)
 - a. Affected soil stockpile shall be covered with minimum 10-mil plastic sheeting within 24-hours of detection to control emissions during treatment until VOC readings 3-inches above the uncovered soil stockpile are less than 50-ppmv (Rule 210.1);
 - b. Covered soil stockpile shall be treated by enhanced bio-remediation using accepted environmental engineering practices to maintain conditions suitable for bio-remediation. Soil in stockpiles shall be conditioned as necessary through addition of nutrients, moisture and air as needed;
 - c. The following parameters in treatment area shall be monitored according to approved protocol: VOC readings over treatment area in use, soil acidity (pH), soil moisture content (% weight), soil temperature (°F), and Nutrient Ratio (C:N:P);
 - d. Records of soil treatment and monitoring results shall be maintained at the site for a period of at least 5-years, and

- e. If bio-remediation operation is not effective after 2 months (i.e. VOC readings show no reduction in VOC content), Permittee shall propose alternate method of soil remediation for District approval.
- 6. Soil moisture content shall be maintained according to District approved protocol. (Rule 210.1)
- 7. Compliance with all operational conditions shall be verified by appropriate recordkeeping, including records of operational data needed to demonstrate compliance. Such records shall be kept on site in readily available format. (Rule 209)
- 8. No emission resulting from use of this equipment shall cause injury, detriment, nuisance, annoyance to or endanger comfort, repose, health or safety of any considerable number of persons or public. (Rule 419 and CH&SC 41700)

CONSTRUCTION ACTIVITY:

All construction phase emissions shall be controlled utilizing reasonably available control provisions, e.g. construction site and unsurfaced roadway dust control, conscientious maintenance of mobile and piston engine-powered equipment, etc.

STATE OF CALIFORNIA AIR TOXICS HOT SPOTS REQUIREMENTS:

Facility shall comply with California Health and Safety Code Sections 44300 through 44384. (Rule 208.1)

COMPLIANCE TESTING REQUIREMENTS:

Should inspection reveal conditions indicative of non-compliance, compliance with hourly and concentration emission limits for VOC shall be verified pursuant to Rule 108.1 and KCAPCD Guidelines for Compliance Testing, within 45 days of District request.

EMISSION LIMITS:

Emissions rate of each air contaminant from this unit shall not exceed following limits:

<u>Volatile Organic Compounds (VOC):</u>	0.17 lb/day
<u>(as defined in Rule 210.1)</u>	0.03 ton/yr

(Emissions limits established pursuant to Rule 210.1, unless otherwise noted.)

Compliance with maximum daily emission limits shall be verified by source operator (with appropriate operational data and recordkeeping to document maximum daily emission rate) each day source is operated and such documentation of compliance shall be retained and made readily available to District for period of three years. (Rules 209 and 210.1)

AUTHORITY TO CONSTRUCT ENGINEERING EVALUATION

Reviewed by: _____
Title: _____ KCAPCD
Date: _____

Applicant: **Solar Millennium, LLC**

Mailing Address: 1625 Shattuck Avenue
Berkeley, California 94709

Contact Name: Nichole Tenenbaum, Sr. Project Manager

Phone Number: 1-510-524-4517

Fax Number: 1-510-524-5516

Application Nos.: **0368001 – '008**

Project #: 090917

Location: 2 Mi West of Intersection of Brown Road
and Highway 395, Ridgecrest

QS/T/R: SW26/T27S/R39E
and Others

UTM Coordinates: Zone 11 431.82 km East 3934.82 km North

Project Title: Support Emissions Units Serving Solar Power Plant

App. Rec.: 09/17/2009

Deemed Complete: 10/01/2010

180 Days: 03/28/2010

Submittal Date: 02/13/2010

Evaluation By: Glen E. Stephens

Project Contents:

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I. PROPOSAL:

Solar Millennium, LLC (Solar Millennium) is proposing to construct and operate the Ridgecrest Solar Power Project (RSPP). RSPP is a concentrated solar electric generating facility. Facility is to be constructed and operated on two solar fields totaling approximately 1,440 acres on land owned by the Federal Government (to be least to Solar Millennium by the Bureau of Land Management (BLM)). Solar plant is approximately 2¼ miles west of the intersection of Brown Road and U.S. Highway 395; approximately 2 miles west of the city of Ridgecrest. RSPP will use solar parabolic trough thermal technology to heat a heat transfer fluid (HTF) to a nominal working temperature of 740 degrees Fahrenheit (°F). Heated HTF is circulated through a heat exchanger

ATC No.: 0368001 through 0368008; Project No.: 090917

$$6,100 \frac{\text{gal}}{\text{min}} \times 0.01670 \frac{\text{lb}}{\text{gal}} \times \frac{0.0005}{100} \times 60 \frac{\text{min}}{\text{hr}} = 0.031 \frac{\text{lb}}{\text{hr}}$$

$$\text{Daily: } 0.031 \frac{\text{lb}}{\text{hr}} \times 16 \frac{\text{hr}}{\text{day}} = 0.489 \frac{\text{lb}}{\text{day}}$$

$$\text{Annual: } 0.489 \frac{\text{lb}}{\text{hr}} \times 5840 \frac{\text{hours}}{\text{year}} \times \frac{1}{2000} \frac{\text{tons}}{\text{lb}} = 0.089 \frac{\text{tons}}{\text{year}}$$

ATC No. 0368005 (Cooling Water Tower) Emissions Summary:

	PM ₁₀	SOx	NOx	VOC	CO
lb/hr:	0.03				
lb/day:	0.49				
tons/yr:	0.09				

6. ATC No. 0368006 (Bio-Remediation Operation):

Assumed 95% of light VOC component emitted into the atmosphere during leak. Heavy hydrocarbon (VOC) in soil transferred to bio-pile/land-farm for treatment. Minimum 95% control efficiency for heavy hydrocarbons expected for land farming operation.

Uncontrolled VOC Emissions (from liquid leaks – 0368003):

From (0368003): 2.81-lb/hr

$$2.811 \frac{\text{lb}}{\text{hr}} \times \left(1 - \left(\frac{95}{100}\right)\right) = 0.141 \frac{\text{lb}}{\text{hr}}$$

$$46.432 \frac{\text{lb}}{\text{day}} \times \left(1 - \left(\frac{95}{100}\right)\right) = 2.321 \frac{\text{lb}}{\text{hr}}$$

$$2.321 \text{ lb/day} \times 365 \text{ days/yr} \times 0.0005 \text{ tons/lb} = 0.424\text{-tons/year}$$

Controlled VOC Emissions

Land Farming with 95% Control Efficiency

$$0.141 \frac{\text{lb}}{\text{hr}} \times \left(1 - \left(\frac{95}{100}\right)\right) = 0.007 \frac{\text{lb}}{\text{hr}}$$

$$0.007 \text{ lb/hr} \times 24 \text{ hr/day} =$$

$$0.169 \text{ lb/day}$$

$$0.007 \text{ lb/hr} \times 8760 \text{ hours/yr} \times 0.0005 \text{ tons/lb} =$$

$$0.031 \text{ tons/year}$$

7. ATC No. 0368007 (2000-kWe Electrical Generator Driven by 2922-bhp Diesel Engine):

Example Emission Calculations for PM₁₀ (Identical Calculations for SOx, NOx, VOC and CO, results are summarized below):

	PM-10	SOx	NOx	VOC	CO
lb/hp-hr	3.31E-04	1.08E-05	9.92E-03	6.62E-04	5.73E-03

$$\text{PM}_{10}: 3.31 \times 10^{-4} \frac{\text{lb} \cdot \text{PM}_{10}}{\text{hp} - \text{hr}} \times 2922 \cdot \text{hp} = 0.966 \frac{\text{lb}}{\text{hr}}$$

KERN COUNTY AIR POLLUTION CONTROL DISTRICT

PRELIMINARY DETERMINATION OF COMPLIANCE

2700 "M" Street, Suite 302
 Bakersfield, CA 93301-2370
 Phone: (661) 862-5250
 Fax: (661) 862-5251



Field Office
 Phone: (661) 823-9264

ISSUE DATE: MONTH XX, 2010	APPLICATION NO.: 0368003
EXPIRATION: MONTH XX, 2012	DATE: SEPTEMBER 17, 2009

DETERMINATION OF COMPLIANCE IS HEREBY GRANTED TO:
SOLAR MILLENNIUM, LLC

DETERMINATION OF COMPLIANCE IS HEREBY GRANTED FOR:

Two 18,000-Gallon Heat Transfer Fluid (HTF) Expansion Tanks Vented To Vapor Control System, Including HTF Piping Network

(See attached sheets for equipment description and conditions)

S SW26	T 27S	R 39E	Location: APN: 341-110-02, 341-091-08, 341-091-10, 341-91-11, 341-110-01, 341-110-03, 341-110-05, 341-110-06, and 097-070-02	Startup Inspection
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UPON COMPLETION OF CONSTRUCTION AND/OR INSTALLATION, PLEASE TELEPHONE DISTRICT

Validation Signature:

 David L. Jones
 Air Pollution Control Officer

CONDITIONS OF APPROVAL:

Pursuant to Rule 209, "conditional approval" is hereby granted. Please be aware compliance with all conditions of approval imposed by any applicable Determination of Compliance remain in effect for life of project, unless modified by application.

EQUIPMENT DESCRIPTION: Two 18,000-Gallon Heat Transfer Fluid (HTF) Expansion Tanks Vented To Vapor Control System, Including HTF Piping Network, including following equipment and design specifications:

- A. Two 18,000 Gallon HTF Expansion Tanks No. 1 and 2 each with PV vent valve,
- B. 4 - 1,250-gal HTF Overflow tanks north solar field,
- C. 4 - 1,250-gal HTF Overflow tanks south solar field,
- D. 25-hp Expansion tank pump,
- E. HTF Fluid pumps (400-hp),
- F. Nitrogen blanket system,
- G. HTF piping header,
- H. HTF ullage system,
- I. Solar field piping,
- J. Solar generating system piping, and
- K. Piping from expansion tank to vapor control system.

DESIGN CONDITIONS:

- a. Each HTF tank shall be connected to volatile organic compound (VOC) vapor control system (Permit No. 0368004). (Rule 210.1)
- b. Volume of each expansion tank shall not exceed 18,000-gallons without prior District approval. (Rule 210.1)

OPERATIONAL CONDITIONS:

- 1. HTF expansion vessel shall be gas tight and vent to vapor control system (Permit No. 0368004). (Rule 210.1 BACT Requirement)
- 2. Permittee shall establish an inspection and maintenance program to determine, repair, and log leaks in HTF piping network and expansion tanks. Inspection and maintenance program and related logs shall be available to District staff upon request. (Rule 210.1 BACT Requirement)
 - a. All pumps, compressors and pressure relief devices (pressure relief valves or rupture disks) shall be electronically, audio, or visually inspected once every operating day.
 - b. All accessible valves, fittings, pressure relief devices (PRDs), hatches, pumps, compressors, etc. shall be inspected quarterly using a leak detection device such as a Foxboro OVA 108 calibrated for methane.
 - c. VOC leaks greater than 100-ppmv shall be repaired within seven calendar days of detection.
 - d. VOC leaks greater than 10,000-ppmv shall be repaired within 24-hours of detection.

- e. Permittee shall maintain a log of all VOC leaks exceeding 10,000-ppmv, including location, component type, and repair made.
 - f. Permittee shall maintain record of the amount of HTF replaced on a monthly basis for a period of 5 years.
 - g. Any leak detected by District inspection(s) exceeding 100-ppmv and not repaired in 7-days and 10,000-ppmv not repaired within 24-hours shall constitute a violation of this Authority to Construct (ATC)/Permit to Operate (PTO).
 - h. Pressure sensing equipment shall be installed that will be capable of sensing a major rupture or spill within the HTF network.
3. The following component count shall be utilized to determine fugitive emissions:
- | Equipment | Count | Service | hrs/day | Service | hrs/day |
|-----------------------|-------|--------------|---------|--------------|---------|
| Valves | 3050 | Light Liquid | 16 | Heavy Liquid | 8 |
| Pump Seals | 4 | Light Liquid | 16 | Heavy Liquid | 8 |
| Connectors* | 7594 | Light Liquid | 16 | Heavy Liquid | 8 |
| Pressure Relief Valve | 10 | Gas | 16 | Heavy Liquid | 8 |
- 4. Each expansion tank shall have fixed roof without holes, tears, or other such openings, except pressure/vacuum (PV) valves, in the cover which allow the emission of VOC. (Rule 210.1)
 - 5. All expansion tank and overflow tank hatch shall be kept closed and gap-free, except during maintenance, inspection, or repair. (Rule 210.1)
 - 6. Tank roof appurtenances shall not exhibit emissions exceeding 10,000-ppmv as methane measured with an instrument calibrated with methane and conducted in accordance with U.S. EPA Method 21. (Rule 411)
 - 7. Each tank shall be maintained leak-free. A "leak" is defined as the dripping of liquid volatile organic compounds at a rate of three or more drops per minute, or vapor volatile organic compounds in excess of 10,000-ppm as equivalent methane as determined by U.S. EPA Test Method 21. (Rule 210.1)
 - 8. Equipment shall be maintained according to manufacturer's specifications to ensure compliance with emissions limitations. (Rules 210.1 and 209)
 - 9. Compliance with all operational conditions shall be verified by appropriate recordkeeping, including records of operational data needed to demonstrate compliance. Such records shall be kept on site in readily available format. (Rule 210.1)
 - 10. No emission resulting from use of this equipment shall cause injury, detriment, nuisance, annoyance to or endanger comfort, repose, health, or safety of any considerable number of persons or public. (Rule 419 and CH&SC Sec 41700)
 - 11. The District shall be notified of any breakdown conditions in accordance with Rule 111 (Equipment Breakdown). (Rule 111)

CONSTRUCTION ACTIVITY:

All construction phase emissions shall be controlled utilizing reasonably available control provisions, e.g. construction site and unsurfaced roadway dust control, conscientious maintenance of mobile and piston engine-powered equipment, etc.

STATE OF CALIFORNIA AIR TOXICS HOT SPOTS REQUIREMENTS:

Facility shall comply with California Health and Safety Code Sections 44300 through 44384. (Rule 208.1)

COMPLIANCE TESTING REQUIREMENTS:

Should inspection reveal conditions indicative of non-compliance, compliance with hourly and concentration emission limits for VOC shall be verified pursuant to Rule 108.1 and KCAPCD Guidelines for Compliance Testing, within 45 days of District request.

EMISSION LIMITS:

Emissions rate of each air contaminant from this unit shall not exceed following limits:

<u>Volatile Organic Compounds (VOC):</u>	46.43 lb/day
(as defined in Rule 210.1)	8.47 ton/yr

VOC Emissions from HTF Expansion Assessed on Permit No. 0368004

(Emissions limits established pursuant to Rule 210.1, unless otherwise noted.)

Compliance with maximum daily emission limits shall be verified by source operator (with appropriate operational data and recordkeeping to document maximum daily emission rate) each day source is operated and such documentation of compliance shall be retained and made readily available to District for period of three years. (Rules 209 and 210.1)

Declaration of Service

I Bonnie Heeley declare that on March 12, 2010, I served and filed copies of the attached CALIFORNIA UNIONS FOR RELIABLE ENERGY COMMENTS ON THE PRELIMINARY DETERMINATION OF COMPLIANCE dated March 12, 2010. The original document, filed with the Docket Office, 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/genesis_solar.

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 Office via email and U.S. mail.

I declare under penalty of perjury that the foregoing is true and correct.
 Executed at South San Francisco, CA on March 12, 2010.

_____/s/
 Bonnie Heeley

CALIFORNIA ENERGY COMMISSION Attn: Docket No. 09-AFC-8 1516 Ninth Street MS 4 Sacramento, CA 95814-5512 docket@energy.state.ca.us	Ryan O'Keefe, Vice President Genesis Solar LLC 700 Universe Boulevard Juno Beach, Florida 33408 Ryan.okeefe@nexteraenergy.com EMAIL ONLY	Scott Busa/Project Director Meg Russell/Project Mgr Duane McCloud/Lead Engr NextEra Energy 700 Universe Boulevard Juno Beach, FL 33408 Scott.busa@nexteraenergy.com Meg.Russell@nexteraenergy.com Daune.mccloud@nexteraenergy.com Matt Handel/Vice Pres. Matt.Handel@nexteraenergy.com VIA EMAIL ONLY Kenny Stein, Environmental Srvs Mgr Kenneth.Stein@nexteraenergy.com VIA EMAIL ONLY
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