

DOCKETED	
Docket Number:	86-AFC-01C
Project Title:	Compliance - Application for Certification for the (ACE) Argus Cogeneration Expansion AFC
TN #:	223852
Document Title:	Argus Cogeneration Expansion (ACE) - Petition to Terminate 20180619
Description:	Argus Cogeneration Expansion (ACE) - Petition to Terminate Energy Commission Jurisdiction
Filer:	Mary Dyas
Organization:	ACE Cogeneration Company
Submitter Role:	Applicant
Submission Date:	6/19/2018 12:57:56 PM
Docketed Date:	6/19/2018



June 19, 2018

Mary Dyas
Compliance Project Manager
Siting, Transmission, and Environmental Protection Division
California Energy Commission
1516 Ninth Street, MS-2000
Sacramento, CA 95814-5512

Subject: ACE Project Petition for Termination (Docket No. 86- AFC-1C)

Dear Ms. Dyas:

As you are aware, the Argus Cogeneration Expansion (ACE) Project ceased operations in October 2014. In light of the condition and operational capability of the ACE Project, the ACE Cogeneration Company (ACC) submits this Petition for Termination requesting the California Energy Commission (CEC) to:

1. Remove all remaining open conditions related to decommissioning of the ACE Project and
2. Terminate CEC jurisdiction over the ACE Project.

ACC also request the CEC to wave payment of the 2018-19 annual compliance fee since the CEC will have little if any compliance oversight of the project in FY 2018-19.

These actions will not result in any significant adverse environmental impacts, will comply with applicable LORS, and will facilitate the reuse of the ACE Project facilities creating jobs and economic benefits for Trona and San Bernardino County.

If you have any questions or need additional information, please contact Bob Therkelsen at (541) 941-7805.

Sincerely,

A handwritten signature in blue ink that reads 'Larry Trowsdale'.

Larry Trowsdale
General Manager ACE Cogeneration Company, LP

Argus Cogeneration Expansion Project Petition for Termination

Submitted to the

California Energy Commission

Prepared by

ACE Cogeneration Company

June 18, 2018

Docket No. 86-AFC-1C

Argus Cogeneration Expansion Project Petition for Termination

Requested Action

In light of the condition and operational capability of the Argus Cogeneration Expansion (ACE) Project, the ACE Cogeneration Company (ACC) requests the California Energy Commission (CEC) to approve this petition to:

1. Remove all remaining open conditions related to decommissioning of the ACE Project and
2. Terminate CEC jurisdiction over the ACE Project.

ACC also request the CEC to wave payment of the 2018-19 annual compliance fee since the CEC will have little if any compliance oversight of the project in FY 2018-19.

These actions will not result in any significant adverse environmental impacts, will comply with applicable LORS, and will facilitate the reuse of the ACE Project facilities resulting jobs and economic benefits.

Background

The Argus Cogeneration Expansion (ACE) Project was a coal-fired circulating fluidized bed power plant located on the northwest side of Searles Lake in Trona, California. The project is owned by the ACE Cogeneration Company, LP (ACC). The power plant and all related structures are located on a 24-acre site (Assessors Parcel Number: 0485-041-31) leased from Searles Valley Minerals (SVM). The Ace Project site (outlined in yellow on Attachment 1) is located immediately north of the SVM Argus facility. The project also included a 64-acre ash landfill on an adjacent parcel owned by ACC. When operating, the power plant supplied electricity to Southern California Edison (SCE) and steam to SVM's adjacent Argus facility.

ACE was permitted by the California Energy Commission (CEC) on January 8, 1988 and began commercial operation in January 1991. The power plant ceased operation on October 2, 2014 and was placed in a long-term outage condition.

In November 2014, ACC submitted a Decommissioning Plan proposing to demolish several of the structures on the ACE site used exclusively for power generation and retaining other structures for future industrial reuse. The CEC approved the Decommissioning Plan proposed by ACC on June 10, 2015 and adopted additional conditions to ensure demolition and other decommissioning activities would comply with all legal requirements and not result in adverse impacts.

New Mill Capital acquired ACC including the ACE Project in September 2015. ACC, under the ownership of New Mill Capital, initially suspended all decommissioning activities to review options for the ACE Project including production of renewable carbon free hydrogen. ACC concluded use of the facility for power generation at the existing site or relocated to another site was infeasible but there was potential for industrial reuse of some of the existing facilities and the ash landfill site.

ACC subsequently:

- Terminated all air, water, and waste permits for the project.
- Banked the emission reduction credits for the power plant.
- Obtained CEC approval to terminate its jurisdiction over the ash landfill allowing the site to be sold and redeveloped for industrial reuse.
- Auctioned, sold, and removed most of the equipment at the ACE Project.
- Obtained CEC approval to terminate jurisdiction over the ash silos allowing for reuse.
- Developed a plan to hire a demolition contractor to demolish the select power generation structures.

These activities set the stage for demolishing non-reusable structures, terminating CEC jurisdiction over the project, and transitioning land use jurisdiction to San Bernardino County.

On May 14, 2018, SV Industrial Services purchased ACC from New Mill Capital and is the sole owner of ACC and the ACE Project. SV Industrial Services plans on demolishing some of the structures at the ACE Project, including the boiler and stack, and retaining others, including the turbine-generator building, for industrial reuse. Attachment 2 is Figure 4-1 from the ACE Decommissioning Plan and shows the structures proposed to be demolished and retained as approved by the Commission. Attachment 3 is a portion of Figure 4-1 showing fence line between the ACE Project and SVM Argus facility, identifying the three primary structures (boiler, air bag structure, and stack) to be demolished, and the turbine/generator building now to be retained for reuse.

ACC met with officials from San Bernardino County and determined that demolition of the non-retained structures and reuse of the retained structures can be accelerated if CEC jurisdiction is terminated and transferred to San Bernardino County. Attachment 4 is a letter from San Bernardino County regarding their willingness to assume jurisdiction over the project in its current condition, willingness and ability to oversee demolition of the non-retained structures, and other areas the County will oversee during demolition.

Petition

The ACE Project is no longer a viable power plant capable of generating electricity:

- The power purchase agreement has expired.
- The transmission interconnection has been severed.

- The natural gas lines have been severed, closed, and capped.
- The water lines have been closed and capped.
- The turbine and generator has been sold and will be removed.
- The air and other permits have been terminated and emission reduction credits banked and sold.
- Most of the supporting equipment including pumps and motors has been sold and removed.
- The ash landfill site has been sold and is being redeveloped.

Consequently, ACC is requesting the CEC eliminate the open conditions of certification related to demolition and terminate its jurisdiction over the ACE Project. This request is consistent with the intent of the CEC's approved decommissioning plan for the ACE Project: closing a coal burning power plant and decreasing greenhouse gas emissions (California Energy Commission, Order Approving a Petition to Decommission the Argus Cogeneration Expansion Project, June 10, 2015, page 2). The proposed action will not involve any physical changes to the environment, will not result in any significant adverse environmental impacts, and is consistent with all applicable laws, ordinances, regulations, and standards (LORS). It will allow reuse of a disturbed industrial site and facilities providing jobs and economic development benefits to Trona and San Bernardino County.

This filing is made pursuant to Section 1769 of the Energy Commission's Power Plant Siting Regulations. When submitting a petition for modifying a Commission decision, the regulations require a project owner to provide specific information summarized below:

(A) A complete description of the proposed modifications, including new language for any conditions that will be affected

The modification proposes to eliminate any open conditions of certification related to demolition of the ACE Project and terminate the CEC's jurisdiction over the Project. The open conditions are:

AQ-SC4 The project owner shall ensure that all applicable portable equipment used by the demolition contractor shall be registered through the ARB Portable Equipment Registration Program (PERP).

AQ-SC5 The project owner shall ensure that equipment used during decommissioning is maintained in proper operating condition to avoid visible emissions darker than Ringlemann #1 for periods greater than 3 minutes in any hour.

AQ-SC6 The project owner shall ensure a decommissioning Dust Control Plan is prepared and submitted to the MDAQMD for information and to the CPM for approval.

CUL-2 The project owner shall designate a qualified cultural resources specialist

to be on site to monitor site preparation construction and ground-disturbing decommissioning activities in the vicinity of archaeological sites SBr-3846, 3847 and 3848 and to be on-call during site preparation and construction activities in other project areas.

CUL-3 If paleontological or cultural resources are discovered during construction or ground-disturbing decommissioning activities, work in the immediate area of the resource shall be halted and the designated paleontologist or cultural resources specialist, as appropriate, shall be consulted to evaluate the significance of the resources.

NOISE-5 KMCC shall limit noise-generating construction activities to the hours (5 a.m. to midnight) except in cases of emergency. The extended work day (5 a.m. to midnight) is permissible provided noise during the extended construction hours is adequately mitigated and does not constitute a public nuisance.

TRAFFIC-1 KMCC shall comply with the Inyo County, Kern County, San Bernardino County and CALTRANS restrictions on over-size or over-weight vehicles. KMCC shall obtain necessary transportation permits from the counties and CALTRANS.

HAZ-1 The project owner shall provide a revised Hazardous Materials Business Plan (HMBP) for the hazardous materials that would be used during demolition, to the San Bernardino County Fire Department and the CPM for review. After receiving comments from the San Bernardino County Fire Department and the CPM, the project owner shall include in the final documents all recommendations that ensure LORS compliance. Copies of the revised final HMBP shall then be provided to the San Bernardino County Fire Department for information and to the CPM for approval.

HAZ-2 During the closeout of the Hazardous Materials Business Plan, the project owner shall maintain the existing security plan for the hazardous materials that remain on site until the transfer of ownership is complete.

HAZ-3 Upon completion of the Hazardous Materials Business Plan closeout, the project owner shall follow all of the closeout procedures outlined by the SBCFD's CUPA.

HAZ-4 The project owner shall provide a copy of the Explosives Permit to the San Bernardino County Fire Department and the CPM for review. The project owner shall also coordinate with the SBCFD the dates of demolition activities with explosives so that the proper fire protection is provided on site.

WASTE-11 The project owner shall prepare a Construction Waste Management Plan for demolition wastes generated during decommissioning of the facility and shall submit the plan to the San Bernardino County Department of Public Works, Solid Waste Management Division (SWMD)

and CPM for review.

WORKER SAFETY-1 The project owner shall submit to the Compliance Project Manager (CPM) a copy of the project Construction/Demolition Safety and Health Program.

WORKER SAFETY-2 The project owner shall provide a site Construction/ Demolition Safety Supervisor who, by way of training and/or experience, are knowledgeable of tank demolition, power plant deconstruction activities, and relevant laws, ordinances, regulations, and standards; are capable of identifying workplace hazards relating to the demolition and/or construction activities; and has authority to take appropriate action to assure compliance and mitigate hazards.

WORKER SAFETY-3 The project owner shall ensure that a portable automatic external defibrillator (AED) is located on site during demolition and removal of the ACE power plant and shall implement a program to ensure that workers are properly trained in its use and that the equipment is properly maintained and functioning at all times. During demolition, the following persons shall be trained in its use and shall be on site whenever the workers that they supervise are on site: the Construction/Demolition Project Manager or delegate, the Construction/ Demolition Safety Supervisor or delegate, and all shift foremen.

Complete wording of the conditions and verifications is included in Attachment 5.

There will be no new wording. Responsibility for the concerns addressed by these conditions will be assumed by other state and local agencies identified in (E) below.

(B) A discussion of the necessity for the proposed modifications

Terminating the CEC certificate and transferring jurisdiction to San Bernardino County will reduce costs associated with demolition and accelerate industrial reuse of the site and facilities to be retained. This will accelerate the creation of jobs in the Trona area and regional economic benefits. It will also reduce the potential of industrial development on a green-field site.

(C) If the modification is based on information that was known by the petitioner during the certification proceeding, an explanation why the issue was not raised at that time

The project owner did not know of or have information related to this modification during the certification proceeding in 1988 or decommissioning plan amendment proceeding in 2015.

(D) If the modification is based on new information that changes or undermines

the assumptions, rationale, findings, or other bases of the final decision, an explanation of why the change should be permitted

The modification and termination is consistent with the objectives of the CEC's decision on decommissioning the project and will accelerate new industrial use of the site and remaining facilities.

(E) An analysis of the impacts the modification may have on the environment and proposed measures to mitigate any significant adverse impacts

The elimination of the demolition conditions and termination will not result in changes to the environment or significant adverse environmental impacts because there will not be any changes to the project or environment.

After the CEC certificate is terminated, responsibility for overseeing demolition of the non-retained structures will shift from the CEC to San Bernardino County who will have land use planning jurisdiction and be lead agency under CEQA.

San Bernardino County will also be responsible for reviewing and approving any changes in the land use of the site or facilities at the ACE Project. They will require the project owner to submit all required applications, preparing appropriate CEQA documents, and issuing necessary Conditional Use Permits (CUP).

The Mojave Air Quality Management District (MDAQMD) and Lahontan Regional Water Quality Control Board (LRWQCB) will be responsible for air quality and water quality permits and protections associated with changes in use of the site or facilities.

(F) A discussion of the impact of the modification on the facility's ability to comply with applicable laws, ordinances, regulations, and standards

The modification will not result in noncompliance with any LORS. As noted above, rather than the CEC, San Bernardino County will be the Chief Building Official (CBO) for the project and assume responsibility for building and safety code compliance and demolition of any non-retained structures. Under the County's building ordinances and regulations, ACC will have to apply for a demolition permit and pay appropriate fees. The County will review the application and undertake any reviews and inspections related to building and related code compliance.

Oversight of concerns related to demolition will be handled by the following agencies:

- **Air Quality** – Regardless of overall project jurisdiction, the Mojave Air Quality Management District (MDAQMD) is responsible for enforcing federal

and state air quality requirements including compliance with the Portable Equipment Registration Program (PERP) and approval of a dust control plan. Contact: Sam Oktay, (760) 245-1661, ext. 1610.

- **Land Use** – The San Bernardino County Land Use Services Department is responsible for comprehensive regional planning and enforcement of building standards, land uses, and environmental impacts. Contact: Linda Mawby, (909) 387-4002.
- **Cultural Resources** – As discussed in the Decommissioning Plan, cultural resources are highly unlikely to be encountered during demolition because of the lack of resources at the site, highly disturbed nature of the site, and minimal excavation and ground working activities. The San Bernardino County Land Use Services Department provides oversight for cultural resource protection.
- **Noise** – As identified in Condition Noise 5, demolition activities, regardless of overall project jurisdiction, will be required to comply with the applicable San Bernardino County noise ordinances and work hours limitations established by the San Bernardino County Department of Environmental Health Services.
- **Hazardous Materials** – Regardless of overall project jurisdiction, the Certified Unified Program Agency (CUPA) for San Bernardino County is the San Bernardino County Fire Department (SBCFD) and is responsible for reviewing all hazardous material management plans and issuing explosive permits as identified in Conditions HAZ 1-4. Contact: Mark Bechel, (909) 386-8401
- **Transportation** – As noted in Condition TRAFFIC-1, the San Bernardino County Department of Public Works and CalTrans are responsible for issuing any required oversized vehicle permits.
- **Waste Management** – As noted in Condition WASTE-11, the San Bernardino County Department of Public Works, Solid Waste Management Division (SWMD) is responsible for disposal and recycling of demolition wastes, oversight of waste disposal facilities in San Bernardino County, and review of any required waste management plan. Contact: Sharon Mitchell, (909) 386-8968.
- **Building Code Compliance and Worker Safety** – The San Bernardino County Chief Building Official is responsible for enforcing building and safety code compliance. Contact: Jack Leonard, (909) 387-4111.

(G) A discussion of how the modification affects the public

The modification will have no direct impact on the public. The modification will have a socioeconomic benefit by allowing reuse of an existing industrial site, creating jobs, and providing economic development.

(H) A list of property owners potentially affected by the modification

A list of property owners is provided in Attachment 6.

(I) A discussion of the potential effect on nearby property owners, the public and the parties in the application proceedings.

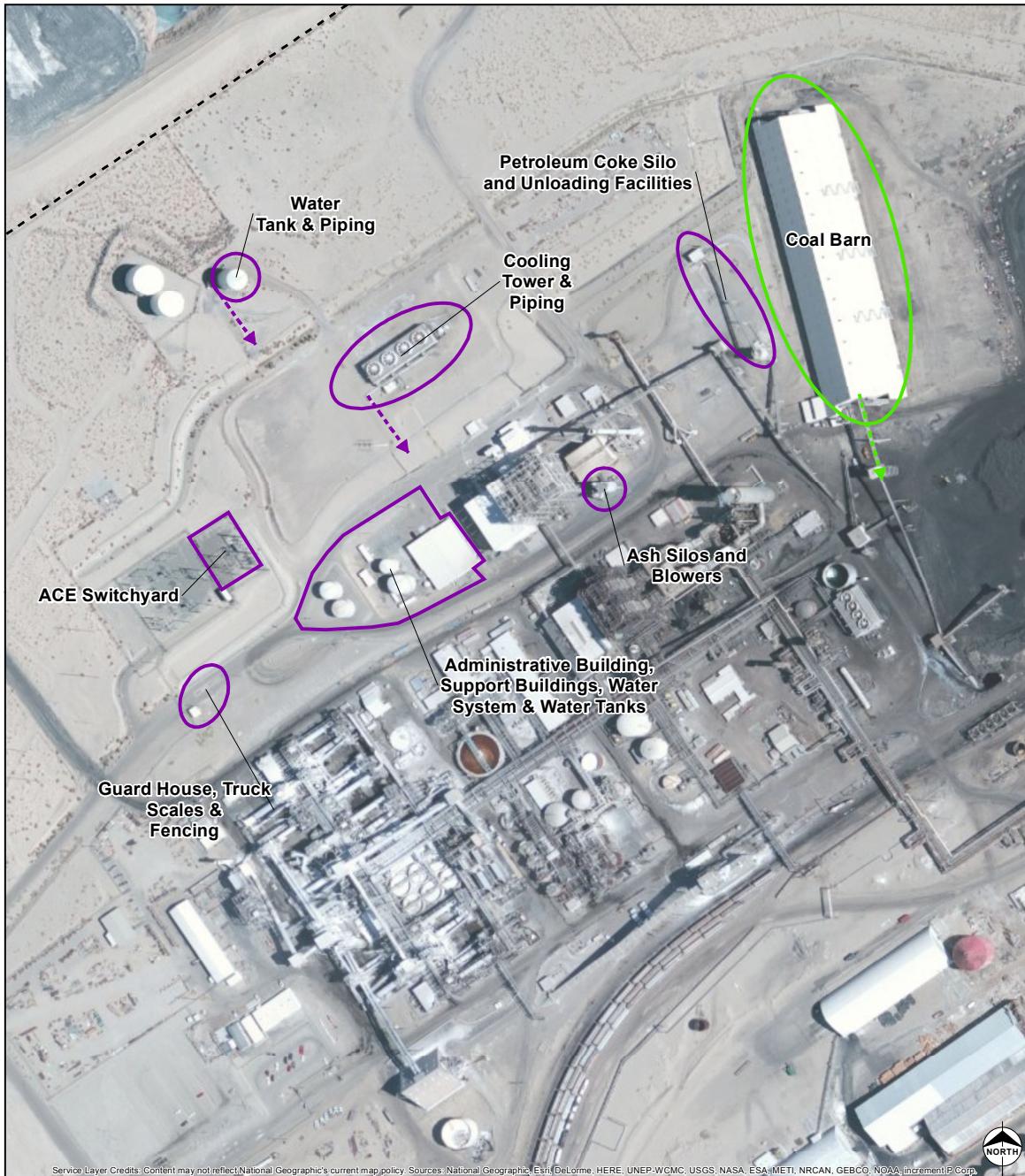
The modification will have no impact of nearby property owners. The modification will benefit the community of Trona and county of San Bernardino by allowing the reuse of the site and facilities, creating jobs, and providing economic development.

**Attachment 1
ACE PROJECT SITE AND ASH LANDFILL**



Note: The Ace Project site is outlined in yellow and located immediately northwest of the SVM Argus mineral production facility.

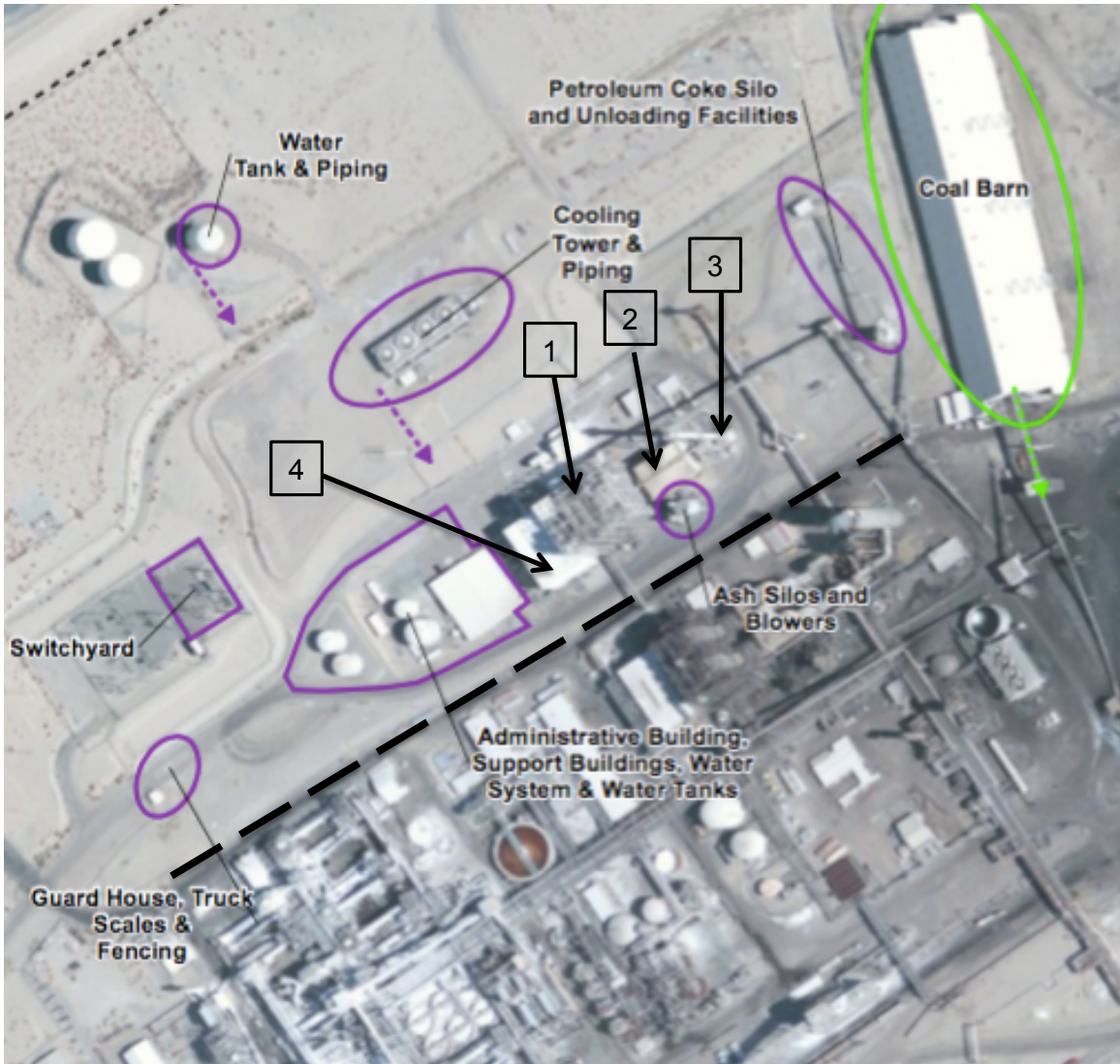
Attachment 2
FIGURE 4-1: ACE PROJECT FACILITIES APPROVED TO BE RETAINED



<p>OVERVIEW MAP</p>	<p>Legend</p> <p>Facility</p> <ul style="list-style-type: none"> Retained for use by new owner Left for Use by SVM 	<p>Scale 1:3,600</p> <p>1 inch = 300 feet</p>	<p align="center">ACE Cogeneration Company</p> <p align="center">ACE Facilities Remaining In Place</p> <p>Date: 11/20/2014 Project: 60327917</p> <p align="center">AECOM Figure 4-1</p>
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Path: \\USCAM1\FP001\Projects\Client-Projects\ACE Cogeneration Company\60327917-ACE Decommissioning Plan\Graphics\00-GIS\mxd\4-1_60327917 ACE Facilities 20141106.mxd | Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet

Attachment 3
DETAIL OF FIGURE 4-1 SHOWING FENCELINE, PRIMARY STRUCTURES TO BE DEMOLISHED, AND TURBINE/GENERATOR BUILDING TO BE RETAINED



— — Approximate fence line between the ACE Project and the SVM Argus facility

- 1** Boiler – to be demolished
- 2** Air bag structure – to be demolished
- 3** Stack – to be demolished
- 4** Turbine/generator building – to be retained

Attachment 4
LETTER FROM SAN BERNARDINO COUNTY

385 N. Arrowhead Avenue, First Floor, San Bernardino, CA 92415 | Phone: 909.387.8311 Fax: 909.387.3223

www.SBCounty.gov



Land Use Services Department
Building and Safety

Luther Snoke
Interim Director

June 8, 2018

California Energy Commission
Attention: Mary Dyas, Compliance Project Manager
1516 9th Street, MS-2000
Sacramento, CA 95814

RE: ENERGY COMMISSION JURISDICTIONAL RELEASE OF ARGUS COGENERATION EXPANSION (ACE) PROJECT IN TRONA

Dear Ms. Dyas:

The Planning Division was approached by representatives of Ace Cogeneration Company (ACC) inquiring as to the feasibility of the County overseeing demolition of unused structures remaining onsite upon closure of the Argus Cogeneration Expansion (ACE) Project in Trona.

A meeting was held on May 14, 2018 in our office with Larry Trowsdale, Bob Therkelsen, Senior Planner Linda Mawby, Supervising Building and Safety Engineer Jennie Le, and me. The County's demolition requirements were discussed, as well as whether the County was specifically willing to oversee the demolition of the ACE plant. It was determined it would be feasible and no problematic issues were anticipated. The following conditions would be required:

- Structural Demolition Permits
- A Demolition Waste Management Plan to reduce landfill accumulation
- Conditions established by County Fire Hazardous Materials
- Compliance with County Development Code

Under these conditions, the County is willing to assume jurisdiction of the demolition process for the ACE plant.

If you have any questions regarding this issue, please feel free to contact me by phone at (909) 387-4111 or email at Jack.Leonard@lus.sbcounty.gov.

Respectfully,

Jack Leonard, Building Official

JL/jm/mh

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Chief Executive Officer

Attachment 5
ACE PROJECT CONDITIONS OF CERTIFICATION RELATED TO
DECOMMISSIONING

AQ-SC4 The project owner shall ensure that all applicable portable equipment used by the demolition contractor shall be registered through the ARB Portable Equipment Registration Program (PERP).

Verification: The project owner will maintain on site records of equipment that is brought on-site. The project owner will furnish these records to the CPM upon request.

AQ-SC5 The project owner shall ensure that equipment used during decommissioning is maintained in proper operating condition to avoid visible emissions darker than Ringlemann #1 for periods greater than 3 minutes in any hour.

Verification: The project owner or their contractor shall maintain records of equipment maintenance activities. These records shall be maintained on-site and furnished to the CPM upon request.

AQ-SC6 The project owner shall ensure a decommissioning Dust Control Plan is prepared and submitted to the MDAQMD for information and to the CPM for approval.

Verification: The project owner or their contractor shall submit the Dust Control Plan to the MDAQMD for information and the CPM for approval, at least 30 days prior to the commencement of demolition activities.

AQ-SC7 The project owner shall not operate any emission equipment that does not meet the requirements of the rules and regulations of the MDAQMD, the laws and codes of the United States Environmental Protection Agency, California Air Resources Board, and California Energy Commission.

Verification: Any addition of equipment subject to licensing requirements, or any changes to the operation of any licensed equipment shall be reported to the CPM.

CUL-2 The project owner shall designate a qualified cultural resources specialist to be on site to monitor site preparation construction and ground- disturbing decommissioning activities in the vicinity of archaeological sites SBr-3846, 3847 and 3848 and to be on-call during site preparation and construction activities in other project areas.

Verification: The project owner shall provide CPM with the name and telephone number of their cultural resources specialist at least 30 days prior to the start of any ground disturbance or construction activities.

CUL-3: If paleontological or cultural resources are discovered during construction or

ground-disturbing decommissioning activities, work in the immediate area of the resource shall be halted and the designated paleontologist or cultural resources specialist, as appropriate, shall be consulted to evaluate the significance of the resources. Within one working day the project owner shall notify the CPM of any resource discovery and associated work stoppage. The designated paleontologist/cultural resources specialist and representatives of the project owner and the CPM shall confer within one working day of the notification to discuss possible mitigation measures. Pending resolution of this matter, construction activity in the resource area shall remain stopped.

Verification: The project owner shall notify the CPM within one working day of the resource discovery and the work stoppage. The project owner shall include a report on any such work stoppage or find in the Periodic Compliance Reports.

NOISE-5 KMCC shall limit noise-generating construction activities to the hours (5 a.m. to midnight) except in cases of emergency. The extended work day (5 a.m. to midnight) is permissible provided noise during the extended construction hours is adequately mitigated and does not constitute a public nuisance. An emergency is defined for purposes of this condition as an event involving a spill, an accident, imminent loss of equipment, or other unforeseen events requiring immediate action to protect employee or the public health and safety.

Verification: KMCC shall report to the San Bernardino County Department of Health Services, within 24 hours, any emergency associated with noise-generating construction activities. Any complaints received from the public during normal or extended construction hours shall be addressed under the Complaint Resolution Program (required by Noise Condition 1).

TRAFFIC-1 KMCC shall comply with the Inyo County, Kern County, San Bernardino County and CALTRANS restrictions on over-size or over-weight vehicles. KMCC shall obtain necessary transportation permits from the counties and CALTRANS.

Verification: In its annual compliance report, KMCC shall notify the CEC of any transportation permits obtained during the reporting period.

HAZ-1 The project owner shall provide a revised Hazardous Materials Business Plan (HMBP) for the hazardous materials that would be used during demolition, to the San Bernardino County Fire Department and the CPM for review. After receiving comments from the San Bernardino County Fire Department and the CPM, the project owner shall include in the final documents all recommendations that ensure LORS compliance. Copies of the revised final HMBP shall then be provided to the San Bernardino County Fire Department for information and to the CPM for approval.

Verification: At least thirty (30) days prior to starting demolition of the site, the project owner shall provide a copy of the revised final Hazardous Materials Business Plan. The project owner shall also provide a letter to the CPM stating that the plan was submitted to the San Bernardino County Fire Department for review.

HAZ-2 During the closeout of the Hazardous Materials Business Plan, the project owner shall maintain the existing security plan for the hazardous materials that remain on site until the transfer of ownership is complete.

Verification: The project owner shall provide a letter to the CPM stating that the existing security standards will be maintained for the hazardous materials that remain on site until transfer of ownership is completed.

HAZ-3 Upon completion of the Hazardous Materials Business Plan closeout, the project owner shall follow all of the closeout procedures outlined by the SBCFD's CUPA.

Verification: The project owner shall provide a letter to the CPM stating the requirements that the SBCFD CUPA imposed for the remaining hazardous materials left on site to complete the close out of the existing Hazardous Materials Business Plan and that those requirements have been met.

HAZ-4 The project owner shall provide a copy of the Explosives Permit to the San Bernardino County Fire Department and the CPM for review. The project owner shall also coordinate with the SBCFD the dates of demolition activities with explosives so that the proper fire protection is provided on site.

Verification: At least thirty (30) days prior to allowing explosives on the site, the project owner shall provide a copy of the Explosives Permit obtained from the San Bernardino County Sheriff's Department to the San Bernardino County Fire Department and CPM for review. At least (14) days prior to starting demolition activities with explosives, the project owner shall also submit a letter to the CPM showing the coordination with the SBCFD for the dates required for fire protection services.

WASTE-11 The project owner shall prepare a Construction Waste Management Plan for demolition wastes generated during decommissioning of the facility and shall submit the plan to the San Bernardino County Department of Public Works, Solid Waste Management Division (SWMD) and CPM for review. The plan shall contain, at a minimum, the following:

1. a description of all demolition waste streams, including projections of frequency, amounts generated, and hazard classifications; and
2. management methods to be used for each waste stream, including temporary on-site storage, housekeeping and best management practices to be employed, treatment methods and companies providing treatment services, waste testing methods to assure correct classification, methods of transportation, disposal requirements and sites, and recycling and waste minimization/source reduction plans.

During demolition, the project owner shall require contracted waste and/or refuse haulers to document each waste load transferred from the demolition site to a disposal site and/or recycling center. The contractor shall specifically identify permitted solid waste facilities or recycling centers. The project owner shall also provide copies of documentation demonstrating the demolition wastes have

been disposed of in accordance with the Construction Waste Management Plan.

Verification: The project owner shall submit the Construction Waste Management Plan to the SWMD and the CPM for approval no less than 30 days prior to the initiation of demolition activities at the site. The project owner shall identify permitted solid waste facilities or recycling centers that receive plant waste and maintain copies of weigh tickets and manifests showing the type and volume of waste disposed and submit documentation to SWMD and the CPM demonstrating the demolition wastes have been disposed of in accordance with the Construction Waste Management Plan.

WORKER SAFETY-1 The project owner shall submit to the Compliance Project Manager (CPM) a copy of the project Construction/Demolition Safety and Health Program containing the following:

1. a Construction/Demolition Personal Protective Equipment Program;
2. a Construction/Demolition Exposure Monitoring Program;
3. a Construction/Demolition Injury and Illness Prevention Program;
4. a Construction/Demolition Emergency Action Plan;
5. a Construction/Demolition Fire Prevention Plan; and
6. a Construction/Demolition Explosives Safety Plan

The Personal Protective Equipment Program, the Exposure Monitoring Program, and the Injury and Illness Prevention Program shall be submitted to the CPM for review and approval concerning compliance of the program with all applicable safety orders. The Construction/ Demolition Emergency Action Plan, the Construction/Demolition Fire Prevention Plan, and the Construction/Demolition Explosives Plan shall be submitted to the Fire Department for review and comment prior to submittal to the CPM for approval.

Verification: At least thirty (30) days prior to the start of demolition, the project owner shall submit to the CPM for review and approval a copy of the project Demolition Safety and Health Program. The project owner shall provide a copy of a letter to the CPM from the Fire Department stating the fire department's comments on the Demolition Fire Prevention Plan and Emergency Action Plan.

WORKER SAFETY-2 The project owner shall provide a site Construction/Demolition Safety Supervisor who, by way of training and/or experience, are knowledgeable of tank demolition, power plant deconstruction activities, and relevant laws, ordinances, regulations, and standards; are capable of identifying workplace hazards relating to the demolition and/or construction activities; and has authority to take appropriate action to assure compliance and mitigate hazards. The Construction/Demolition Safety Supervisor shall:

1. have overall authority for coordination and implementation of all occupational safety and health practices, policies, and programs;
2. assure that the safety program for the project complies with Cal/OSHA and federal regulations related to power plant projects;
3. assure that all demolition workers and supervisors receive adequate safety

- training;
4. complete accident and safety-related incident investigations and emergency response reports for injuries and inform the CPM of safety-related incidents; and
 5. assure that all the plans identified in Conditions of Certification WORKER SAFETY-1 are implemented.

Verification: At least thirty (30) days prior to the start of demolition, the project owner shall submit to the CPM the name and contact information for the Construction/Demolition Safety Supervisor. The contact information of any replacement DSS shall be submitted to the CPM within one business day.

The Construction/Demolition Safety Supervisor shall submit a monthly safety inspection report to the CPM to include a:

1. record of all employees trained for that month (all records shall be kept on site for the duration of the project);
2. summary report of safety management actions and safety-related incidents that occurred during the month;
3. report of any continuing or unresolved situations and incidents that may pose danger to life or health; and
4. report of accidents and injuries that occurred during the month.

WORKER SAFETY-3 The project owner shall ensure that a portable automatic external defibrillator (AED) is located on site during demolition and removal of the ACE power plant and shall implement a program to ensure that workers are properly trained in its use and that the equipment is properly maintained and functioning at all times. During demolition, the following persons shall be trained in its use and shall be on site whenever the workers that they supervise are on site: the Construction/Demolition Project Manager or delegate, the Construction/Demolition Safety Supervisor or delegate, and all shift foremen.

Verification: At least thirty (30) days prior to the start of demolition, the project owner shall submit to the CPM a letter stating that a portable automatic external defibrillator (AED) will exist on site and a copy of the training and maintenance program for review and approval.

Attachment 6
Mailing List of Property Owners within 1000 feet of the ACE Facility

Property Owner list on File.