

**DOCKETED**

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<b>Project Title:</b>	Stanton Energy Reliability Center
<b>TN #:</b>	224315
<b>Document Title:</b>	Energy Commission Staff's Response to the Committee's Request for Clarification
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STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

***APPLICATION FOR CERTIFICATION FOR THE:***

***STANTON ENERGY RELIABILITY  
CENTER***

**Docket No. 16-AFC-01**

**ENERGY COMMISSION STAFF'S RESPONSE TO THE COMMITTEE'S  
REQUEST FOR CLARIFICATION**

At the Pre-Hearing Conference, the Committee assigned to the Stanton Energy Reliability Center (Stanton) asked Energy Commission staff (staff) to provide any necessary updates to the Final Staff Assessment (FSA) to clarify the following: 1) whether all technical sections analyze a 14-month construction schedule; 2) whether the most recent battery capacity and storage numbers are accurately reflected in all technical sections; and 3) update the testimony to discuss Land Use laws, ordinances, regulations, and standards involving setbacks and whether or not a conditional use permit is needed. Staff provides this information below. Additionally, staff identifies two additional exhibit numbers to add this document and the Air Quality/Greenhouse Gas Emissions errata staff filed on July 24, 2018, to the evidentiary record.

**Construction Schedule**

On May 8, 2018, staff filed a Report of Conversation documenting an email exchange Energy Commission staff project manager John Heiser had with the project's representative Scott Galati confirming that project construction would entail 10 months of construction, two months of commissioning, and an additional two months for completion of the electric interconnection facilities by Southern California Edison (SCE), for a total possible construction schedule of 14 months. (TN #223446.)

All technical sections of the FSA reflect this construction schedule except for Air Quality, Noise and Vibration, and Waste Management. Staff hereby updates its testimony in these technical sections as follows, and confirms that Public Health analyzed the correct construction schedule.

Air Quality

Staff's testimony in the FSA indicated that construction would last approximately 12 months – 10 months for construction and two months for commissioning. Staff confirms that this should be corrected to include an additional two months for completion of the

electric interconnection facilities by SCE, for a total of 14 months. This correction does not change staff's analysis or conclusions that, with adoption of the proposed conditions of certification, Stanton would not result in any unmitigated significant adverse impacts to air quality and would not result in any noncompliance with applicable air quality laws, ordinances, regulations, or standards.

#### Noise and Vibration

Staff's testimony in the FSA indicated that construction would last approximately 12 months. Staff confirms that this should be corrected to include an additional two months for completion of the electric interconnection facilities by SCE, for a total of 14 months. This correction does not change staff's analysis or conclusions that, with adoption of the proposed conditions of certification, Stanton would not result in any unmitigated significant adverse impacts to noise and vibration and would not result in any noncompliance with applicable noise and vibration laws, ordinances, regulations, or standards.

#### Public Health

Staff's testimony in the FSA indicated that construction would last approximately 10 months followed by two months of startup and commissioning, and in a following sentence states that construction would last approximately 14 months. Staff confirms that staff correctly analyzed a project construction schedule of 14 months for public health and that the analysis and conclusions reached are based on a 14-month construction schedule.

#### Waste Management

Staff's testimony in the FSA indicated that construction would last approximately 12 months. Staff confirms that this should be corrected to include an additional two months for completion of the electric interconnection facilities by SCE, for a total of 14 months. This correction does not change staff's analysis or conclusions that, with adoption of the proposed conditions of certification, Stanton would not result in any unmitigated significant adverse impacts to waste management and would not result in any noncompliance with applicable waste management laws, ordinances, regulations, or standards.

### **Battery Capacity and Storage**

On April 11, 2018, in Stanton Energy Reliability Center, LLC's Initial Comments on the Preliminary Staff Assessment, the applicant updated project information, correcting staff's project description to state that the batteries used by the project would have 4.3 megawatt hours of storage each, for a project total of 8.6 megawatt hours of storage. (TN #223179, pdf p. 94.)

All technical sections of the FSA reflect this updated project information except for Hazardous Materials Management and Alternatives.

Hazardous Materials Management

Staff’s testimony in the FSA inadvertently reduced the capacity of the battery to 8.6 megawatts (MW) instead of keeping it at 10 MW when it appropriately reduced the battery storage. Staff confirms that this should be corrected to reflect that the battery capacity remains at 10 MW for each unit, as reflected in the Application for Certification (AFC). This correction does not change staff’s analysis or conclusions that, with adoption of the proposed conditions of certification, Stanton would not result in any unmitigated significant adverse impacts to hazardous materials management and would not result in any nonconformance with applicable hazardous materials management laws, ordinances, regulations, or standards.

Alternatives

Staff’s testimony in the FSA references the original AFC information about energy storage of 5 megawatt hours (MWh). Staff confirms that this should be corrected to reflect that the battery storage has been updated to 4.3 MWh. This correction does not change staff’s analysis or evaluation of project alternatives.

**Land Use**

As requested by the Committee, staff updates the analysis contained in Land Use Table 3: Project Conformance with Applicable Land Use LORS as follows:

<p><b>City of Stanton Municipal Code Title 20</b></p> <p><b>Chapter 20.220 Industrial Zone</b></p>	<p><del>Section 20.220.020 Industrial Zone Land Uses and Permit Requirements</del></p> <p>Synopsis from Section 20.220.020</p> <ul style="list-style-type: none"> <li>Table 2-7 Allowed Uses and Permit Requirements;</li> </ul> <p>Conditional Use Permit;</p> <ul style="list-style-type: none"> <li>Utility Service Facilities</li> </ul> <p><b><u>Synopsis from Section 20.220.030</u></b></p> <ul style="list-style-type: none"> <li>Table 2-8 Development Standards;</li> <li>Industrial Zones</li> </ul> <p><b><u>Setback Requirements:</u></b>  <b><u>Front – 20 feet</u></b>  <b><u>Interior Side – 0 feet</u></b>  <b><u>Rear – 0 feet</u></b></p> <p><b><u>FAR – 1.0</u></b></p> <p><b><u>Structure Coverage:</u></b>  <b><u>Maximum – 75%</u></b></p> <p>Height Requirement;</p>	<p><u>Conforms</u> The project site is in the IG zone as shown on the city Zoning Map.</p> <p>The proposed use would be allowed in the zone pending the granting (approval) of a conditional use permit (CUP) for a utility service facility.</p> <p><b><u>Staff measured the setbacks for the project site and determined that the project would comply with setback requirements.</u></b></p> <p><b><u>A “floor area ratio” (FAR) affects volume, shape, and spacing of buildings on the property. The FAR for the project is conservatively estimated to be 0.7 which is less than the 1.0 requirement.</u></b></p> <p><b><u>Staff calculated the structural coverage by the project on the gross lot area and determined that the percentage of coverage would be well below the 75% maximum.</u></b></p> <p>The project also would require approval of a variance to allow structures to exceed the 32-foot height requirement of the IG zone.</p> <p>City correspondence states, “Our Zoning Ordinance would require a height variance for two minor equipment components, the gas</p>
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	32 feet – primary structure and accessory structure	<p>turbine sound and aesthetic enclosures, and the SERC [Stanton project] main exhaust stacks. With the architectural cladding of the stacks, we support the California Energy Commission (CEC) approval of the height variance should the CEC issue a License to the SERC [Stanton project].” (COS 2016a)</p> <p>The city of Stanton CUP and variance procedures are subsumed in the Energy Commission certification process because of the Commission’s exclusive permitting authority over thermal power projects. The city of Stanton CUP findings from section 20.550.060, and variance findings from section 20.555.050 of the Zoning Code are discussed below.</p>
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This updated analysis does not change staff’s conclusions that Stanton would not result in any significant adverse impacts to land use and would not result in any nonconformance with applicable land use laws, ordinances, regulations, or standards.

**Additional Exhibits**

Staff proposes to add the following documents to the evidentiary hearing exhibit list:

Proposed Exhibit Number	Document TN	Title of the Document as shown in the docket	Subject area
306	224289	Energy Commission Staff’s Air Quality/Greenhouse Gas Emissions Errata	Air Quality/Greenhouse Gas Emissions
307	TBD	Energy Commission Staff’s Response to The Committee’s Request for Clarification	Air Quality, Noise and Vibration, Public Health, Waste Management, Hazardous Materials Management, and Alternatives

DATED: July 27, 2018

Respectfully submitted,

*originally signed by*

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LISA M. DECARLO  
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California Energy Commission  
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**DECLARATION OF  
TAO JIANG, Ph.D., P.E.**

I, Tao Jiang, declare as follows:

1. I am presently employed by the California Energy Commission in the Engineering Office of the Siting, Transmission and Environmental Protection Division as an Air Resources Engineer.
2. A copy of my professional qualifications and experience is included in the Final Staff Assessment and incorporated by reference herein.
3. I prepared the **Air Quality Section of Energy Commission Staff's Response to The Committee's Request for Clarification for the Stanton Energy Reliability Center** based on my independent analysis of the Application for Certification and supplements thereto, data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the clarifications to my prepared testimony is valid and accurate with respect to the issue(s) addressed therein.
5. I am personally familiar with the facts and conclusions related in the clarification of my testimony and, if called as a witness, could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 07/26/2018

Signed: 

At: Sacramento, California

**DECLARATION OF  
SHAHAB KHOSHMAHRAB**

I, Shahab Khoshmashrab, declare as follows:

1. I am presently employed by the California Energy Commission in the Siting Transmission and Environmental Protection Division as a Senior Mechanical Engineer.
2. A copy of my professional qualifications and experience is included in the Final Staff Assessment and incorporated by reference herein.
3. I prepared the Noise and Vibration section of the Energy Commission Staff's Response to The Committee's Request for Clarification for the Stanton Electricity Reliability Center based on my independent analysis of the Application for Certification and supplements thereto, data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the clarifications to my prepared testimony is valid and accurate with respect to the issue(s) addressed therein.
5. I am personally familiar with the facts and conclusions related in the clarification of my testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 7/26/2018

Signed: 

At: Sacramento, California

**DECLARATION OF  
CHRISTOPHER DENNIS**

I, Christopher Dennis, declare as follows:

1. I am presently employed by the California Energy Commission in the Siting Transmission and Environmental Protection Division as an Engineering geologist.
2. A copy of my professional qualifications and experience is included in the Final Staff Assessment and incorporated by reference herein.
3. I prepared the Noise and Vibration section of the Energy Commission Staff's Response to The Committee's Request for Clarification for the Stanton Electricity Reliability Center based on my independent analysis of the Application for Certification and supplements thereto, data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the clarifications to my prepared testimony is valid and accurate with respect to the issue(s) addressed therein.
5. I am personally familiar with the facts and conclusions related in the clarification of my testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 7/26/2018

Signed: C.B.R.

At: Sacramento, California




**DECLARATION OF  
HUEI-AN (ANN) CHU**

I, Huei-An (Ann) Chu, declare as follows:

1. I am presently employed by the California Energy Commission in the Siting Transmission and Environmental Protection Division as an Air Resources Engineer.
2. A copy of my professional qualifications and experience is included in the Final Staff Assessment and incorporated by reference herein.
3. I prepared the **Public Health** section of the Energy Commission Staff's Response to The Committee's Request for Clarification for the Stanton Electricity Reliability Center based on my independent analysis of the Application for Certification and supplements thereto, data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the clarifications to my prepared testimony is valid and accurate with respect to the issue(s) addressed therein.
5. I am personally familiar with the facts and conclusions related in the clarification of my testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 7/26/2018

Signed: 

At: Sacramento, California

**DECLARATION OF  
OBED ODOEMELAM**

I, Obed Odoemelum, declare as follows:

1. I am presently employed by the California Energy Commission in the Siting Transmission and Environmental Protection Division as a Staff Toxicologist.
2. A copy of my professional qualifications and experience is included in the Final Staff Assessment and incorporated by reference herein.
3. I prepared the Waste Management section of the Energy Commission Staff's Response to The Committee's Request for Clarification for the Stanton Electricity Reliability Center based on my independent analysis of the Application for Certification and supplements thereto, data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the clarifications to my prepared testimony is valid and accurate with respect to the issue(s) addressed therein.
5. I am personally familiar with the facts and conclusions related in the clarification of my testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 7/26/18

Signed: Odoemelum

At: Sacramento, California

**DECLARATION OF  
Brett Fooks**

I, Brett Fooks, declare as follows:

1. I am presently employed by the California Energy Commission in the Siting Transmission and Environmental Protection Division as a Mechanical Engineer.
2. A copy of my professional qualifications and experience is included in the Final Staff Assessment and incorporated by reference herein.
3. I prepared the Hazardous Materials Management section of the Energy Commission Staff's Response to The Committee's Request for Clarification for the Stanton Electricity Reliability Center based on my independent analysis of the Application for Certification and supplements thereto, data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the clarifications to my prepared testimony are valid and accurate with respect to the issue(s) addressed therein.
5. I am personally familiar with the facts and conclusions related in the clarification of my testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 7/26/18

Signed: 

At: Sacramento, California

**DECLARATION OF  
Geoff Lesh**

I, Geoff Lesh, declare as follows:

1. I am presently employed by the California Energy Commission in the Siting Transmission and Environmental Protection Division as a Senior Mechanical Engineer.
2. A copy of my professional qualifications and experience is included in the Final Staff Assessment and incorporated by reference herein.
3. I prepared the Hazardous Materials Management section of the Energy Commission Staff's Response to The Committee's Request for Clarification for the Stanton Electricity Reliability Center based on my independent analysis of the Application for Certification and supplements thereto, data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the clarifications to my prepared testimony are valid and accurate with respect to the issue(s) addressed therein.
5. I am personally familiar with the facts and conclusions related in the clarification of my testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: \_\_\_\_\_

7/26/2018

Signed: \_\_\_\_\_

Geoffrey Lesh

At: Sacramento, California

**DECLARATION OF  
John Hope**

I, John Hope, declare as follows:

1. I am presently employed by the California Energy Commission in the Environmental Protection Office of the Energy Facilities Siting Division as a Planner II.
2. A copy of my professional qualifications and experience is included in the Final Staff Assessment and incorporated by reference herein.
3. I prepared the Alternatives section of the Energy Commission Staff's Response to The Committee's Request for Clarification for the Stanton Electricity Reliability Center based on my independent analysis of the Application for Certification and supplements thereto, data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the clarifications to my prepared testimony are valid and accurate with respect to the issue(s) addressed therein.
5. I am personally familiar with the facts and conclusions related in the clarification of my testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 7/27/18

Signed: 

At: Sacramento, California

**DECLARATION OF  
Mark R. Hamblin**

I, Mark R. Hamblin, declare as follows:

1. I am presently employed by the California Energy Commission in the Siting Transmission and Environmental Protection (STEP) Division, Environmental Protection Office as a Planner II.
2. A copy of my professional qualifications and experience is included in the Final Staff Assessment and incorporated by reference herein.
3. I prepared the Land Use section of the Energy Commission Staff's Response to The Committee's Request for Clarification for the Stanton Electricity Reliability Center based on my independent analysis of the Application for Certification and supplements thereto, data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the clarifications to my prepared testimony are valid and accurate with respect to the issue(s) addressed therein.
5. I am personally familiar with the facts and conclusions related in the clarification of my testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: July 26, 2018 Signed: Mark R. Hamblin

At: Sacramento, California