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Memorandum

To: Commissioner Karen Douglas, Presiding Member
Chair David Hochschild, Associate Member

Date: January 11, 2021

From: California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Leonidas Payne
Project Manager
(916) 838-2124

**Subject: STATUS REPORT FOR THE LAFAYETTE BACKUP GENERATING FACILITY
SMALL POWER PLANT EXEMPTION (20-SPPE-02)**

In its December 23, 2020 order directing parties to file Monthly Status Reports, the Committee ordered the parties to file and serve a Status Report on or before the 10th of each month, beginning on January 11, 2021. In addition to informing the Committee whether or not the case is progressing satisfactorily and briefing the Committee on potential schedule delays and other relevant matters, staff was directed to inform the Committee of the issues that prevented the Initial Study from being issued on November 24, 2020, and staff's proposed revised target date for the Initial Study.

Staff understands that the applicant has delayed responding to outstanding data requests while related issues regarding the appropriate technologies and impacts analyses for diesel backup generators were resolved in a separate proceeding for another facility in the jurisdiction of the Bay Area Air Quality Management District (BAAQMD) (see Sequoia Data Center, Licensing Case Docket #2019-SPPE-03). On December 21, 2020, a letter issued by the BAAQMD (BAAQMD letter) established a best available control technology guideline for large diesel engines used for emergency standby power that requires them to meet the U.S. EPA's Tier 4 emissions standards (see Docket Log TN#236092).

The delay in responding to staff's data requests and potential project changes triggered by the BAAQMD letter is delaying completion of the Air Quality and Greenhouse Gas Emissions sections of staff's environmental analysis. Staff awaits the applicant's status report to understand the applicant's timetable for providing updated project information. Therefore, staff is unable to provide a revised target date for the environmental document for the Lafayette Backup Generating Facility at this time. Assuming a status report from the applicant is forthcoming, staff will provide answers to the Committee's questions on or before the next status report deadline, February 10, 2021.