

DOCKETED

Docket Number:	21-TPG-02
Project Title:	Greenleaf 1 Temporary Power Generators Proceeding
TN #:	239620
Document Title:	Approval of License for Greenleaf 1 Temporary Power Generators
Description:	N/A
Filer:	Steve Kerr
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	9/8/2021 11:38:01 AM
Docketed Date:	9/8/2021



September 8, 2021

Barbara McBride
Director, Strategic Origination
Calpine Corporation
3003 Oak Road
Walnut Creek, Ca 94597

**APPROVAL OF LICENSE FOR GREENLEAF 1 TEMPORARY POWER
GENERATORS, DOCKET NO. 21-TPG-02**

Dear Ms. McBride:

On July 30, 2021, Governor Newsom issued a Proclamation of State of Emergency (Emergency Proclamation) proclaiming an emergency in California as a result of sudden and severe energy shortages resulting from extreme drought, wildfires and record-breaking heat events throughout the Western United States, which put significant demand and strain on California's energy grid. To take immediate action to reduce the strain on energy infrastructure, increase energy capacity, and make energy supply more resilient this year to protect the health and safety of Californians, the Governor authorized the California Energy Commission (CEC) to license new emergency and temporary power generators of 10 megawatts (MW) or more that the CEC determines will deliver net peak energy before October 31, 2021.

Under the Emergency Proclamation, the California Environmental Quality Act, in Public Resources Code, Division 13 (commencing with Section 21000), and related regulations are suspended for new emergency and temporary power generators that the CEC determines meet the criteria set forth in the Emergency Proclamation. The Emergency Proclamation exempts the CEC's licensing process from the rulemaking requirements in Government Code, Title 2, Division 3, Part 1, Chapter 3.5 (commencing with Section 11340).¹ On August 17, 2021, the CEC issued Order number 21-0817-2 establishing a self-certification process for licensing new emergency and temporary power generators and delegating

¹ Governor Newsom's July 30, 2021 Emergency Proclamation is available at:
<https://www.gov.ca.gov/wp-content/uploads/2021/07/Energy-Emergency-Proc-7-30-21.pdf>.

approval of self-certifications and the granting of licenses to the Executive Director.²

On September 3, 2021, Calpine Greenleaf Holdings filed a self-certification application with the CEC requesting a license to temporarily host and operate two 30-megawatt (MW) General Electric (GE) TM2500-G4 gas turbine package units at the site of the decommissioned Greenleaf 1 Cogeneration facility, adjacent to the Sutter Energy Center (SEC) site along South Township Road, in Sutter County, near Yuba City, California.

On September 8, 2021, CEC staff filed a Memorandum (TN 239617) recommending the Executive Director grant the emergency license subject to the conditions and reporting requirements enclosed in Attachment 1. The Greenleaf 1 self-certification application complies with the requirements set forth in the Emergency Proclamation and CEC Order number 21-0817-2. Therefore, under the authority granted to me, I hereby grant Calpine Greenleaf Holdings a license to operate the emergency and temporary power generators at the Greenleaf 1 site for up to five years from the date of this letter in a manner consistent with the requirements in Attachment 1, including that the power generators only operate during grid emergencies, as designated and directed by the California Independent System Operator, until they comply with all local, state, and federal regulatory requirements.

Sincerely,



Drew Bohan
Executive Director

Cc: David Hochschild, Chair, CEC
Shawn Pittard, Deputy Director, CEC
Enclosure

² CEC's August 17, 2021 Order No. 21-0817-2 is available at:
<https://www.energy.ca.gov/filebrowser/download/3659>.

Attachment 1: Greenleaf 1 Temporary Power Generators (21-TPG-02) Conditions and Reporting Requirements (CRR)

- CRR-1: The project operator shall provide a quarterly compliance report to the CEC Compliance Project Manager (CPM) including a record of the number of persons who have completed the Workers Environmental Awareness Program training in the prior quarter and a running total of all persons who have completed the training to date. The signed training acknowledgement forms from construction shall be kept on file by the project operator for a period of at least 6 months after the start of commercial operation. During project operation, signed statements for active project operational personnel shall be kept on file for 6 months following the termination of an individual's employment.
- CRR-2: The project has been issued a waiver of the requirements of a construction stormwater pollution prevention plan (SWPPP) by the State Water Resources Control Board based on the low erosivity of the site. However, the project operator shall implement stormwater best management practices (BMPs) to ensure that no contaminated water is discharged off-site. Examples of contaminated water include dust suppression water, equipment wash water, and contact stormwater and sediment-laden stormwater in the unlikely event that significant rain falls on the project site during construction.
- CRR-3: Prior to operation of the temporary power generators, the project operator shall notify the residences within 3500 feet from the project site, by mail or by other effective means, of the commencement of project operation. The notification shall include a telephone number for use by the public to report any undesirable noise conditions associated with the operation of the project. Within five business days, project personnel shall notify the CPM that the above notification has been sent.

If the project receives a noise complaint, project personnel shall document and investigate the complaint to determine the source of the noise. If the investigation determines that the noise is project related, project personnel shall attempt to resolve the complaint to the satisfaction of the complainant.

The project operator shall use the attached Noise Complaint Resolution Form or a functionally equivalent procedure, to document and respond

to the noise complaint. The completed form shall be submitted to the CPM within three business days following its completion.

If project personnel and complainant cannot reach consensus, project personnel shall notify the CPM.

CRR-4: If a cultural resource is found during installation of the project, the project operator shall provide the following documentation to the CPM:

- A description of the cultural resource, the circumstances surrounding its discovery, actions taken to protect the resource, and the disposition of any artifacts or features that came into the project operator's possession.
- A confidential map of the discovery location on an aerial photograph or project plans.
- Photographs of the cultural resource and constituent artifacts or features.

If human remains are found during installation of the project, the project operator shall document the discovery as described in the bulleted list above and demonstrate compliance with California Health and Safety Code, Section 7050.5(b). Demonstration of compliance may include:

- Telephone conversation logs
- Copies of email exchanges
- Minutes from field meetings

The project operator shall provide the documentation described in the previous paragraphs with the reports required under CRR-1, in a confidential appendix. The project operator shall keep this documentation on file for at least 6 months following the start of commercial operation.

CRR-5: After construction is complete, the project operator shall submit Semi-Annual Compliance Reports; the project may be required to submit additional compliance reports as mandated by other CRRs. The reports are due to the CPM at a date agreed to by the CPM. Each Semi-annual Compliance Report shall identify the reporting period and shall contain the following:

- An updated compliance matrix, in a spreadsheet format. The compliance matrix must identify the following:
 - the technical area and number of the conditions and reporting requirements;
 - a brief description of the submittal required;
 - the date when the submittal is required and the expected or actual submittal date; and
 - the compliance status of each condition and reporting requirement.
- A summary of the current project operating status and an explanation of any significant changes to facility operations;
- Documents required by specific conditions and reporting requirements to be submitted along with the Semi-Annual Compliance Report as attachments; and
- A listing of filings made to, or permits issued by, other governmental agencies during the year.

CRR-6: The project operator shall provide access to the CEC for inspection of the power generating equipment and site and provide all available documentation regarding equipment and site as requested by the CEC. The project operator shall report and provide copies of all incidents, complaints, notices of violation, notices of fines, official warnings, and citations, within seven days of receipt or occurrence, to the CPM. Complaints shall be logged and numbered.

CRR-7: At the end of the life of the permit, to ensure that a planned facility closure does not create adverse environmental, health, and safety impacts, the project operator shall submit a facility closure plan to the CEC for review and approval at least 6 months (or other time period agreed to by the CPM) prior to commencement of closure activities.

CRR-8: An Environmental Coordinator (EC) shall be retained by the project operator. The EC shall have the authority to review and approve the following materials and assume the following duties:

- per CCR-9, design the Worker Environmental Awareness Program;
- issue stop-work orders as per CCR-9;
- Report to the CPM, CDFW or USFWS any take of special status plants, wildlife, or habitat (per CCR-11);

- the EC shall have the following qualifications: at minimum, hold a bachelors degree in Environmental Science, Environmental Planning, Urban Planning, or a related field, and have a minimum of 3 years of applicable, relevant experience; and
- the EC shall be available to the CPM or their CEC staff-designee, for consultation and updates upon request.

CCR-9: The project operator shall implement a Worker Environmental Awareness Program (WEAP) in which each of its employees, as well as employees of contractors and subcontractors who work on the project site or any related facilities during site mobilization, ground disturbance, grading, construction, operation and closure, is informed about sensitive biological and cultural resources associated with the project.

The WEAP must:

- be developed by or in consultation with the EC and consist of an on-site or training center presentation in which supporting written material and electronic media are made available to all participants;
- discuss the locations and types of known sensitive biological resources on the project site and adjacent areas;
- present the reasons for protecting these resources;
- include a discussion of applicable laws and penalties under law;
- include samples or visuals of artifacts that might be found in the project vicinity;
- include a discussion of what such artifacts may look like when partially buried, or wholly buried and then freshly exposed;
- include a discussion of what prehistoric and historical archaeological deposits look like at the surface and when exposed during construction, and the range of variation in the appearance of such deposits;
- present the meaning of various temporary and permanent habitat protection measures;
- identify whom to contact if there are further comments and questions about the material discussed in the program;
- include instruction that work crews are to halt work in the vicinity of a potential cultural resources discovery, and shall contact their

supervisor, and that redirection of work would be determined by the construction supervisor, EC, and CPM; and

- include a training acknowledgment form to be signed by each worker indicating that they received training and shall abide by the guidelines.

Verification: The project operator shall provide a quarterly compliance report to the CPM, a record of the number of persons who have completed the training in the prior months and a running total of all persons who have completed the training to date. The signed training acknowledgement forms from construction shall be kept on file by the project operator for a period of at least 6 months after the start of commercial operation. During project operation, signed statements for active project operational personnel shall be kept on file for 6 months following the termination of an individual's employment.

CRR-10: The project operator shall undertake the following:

- provide representative schematics, diagrams, or shapefiles of the final package unit configuration and linear connections;
- design, install, and maintain project-related features such as access roads and storage and parking areas to avoid identified sensitive resources;
- stake or fence the limits of the work zone and access roads, and prohibit any offsite use or impacts;
- eliminate from landscaping or revegetation plans any List A California exotic pest plants of concern as defined by the California Exotic Pest Plant Council;
- prescribe a road sealant that is non-toxic to wildlife and plants; and
- design, install, and maintain any additional necessary facility lighting to prevent side casting of light toward native habitat.

Verification: Implementation of the measures shall be reported in the quarterly compliance reports by the project operator.

CRR-11: The project operator shall implement the following measures to manage its construction site (and related facilities) in a manner to avoid or minimize impacts to local biological and cultural resources:

- Install temporary fencing and provide wildlife escape ramps for construction areas that contain steep-walled holes or trenches if outside an approved, permanent exclusionary fence. The temporary fence shall be hardware cloth or similar material that is approved by the CPM, and California Department of Fish and Wildlife (CDFW);
- ensure that all food-related trash is disposed of in closed containers and removed at least once a week;
- prohibit feeding of wildlife by staff and subcontractors;
- prohibit non-security-related firearms or weapons on site;
- prohibit pets on site;
- report all inadvertent deaths of sensitive species to the Environmental Coordinator, who will, within 24 hours, notify the CPM, CDFW and United States Fish and Wildlife Service, as appropriate; and
- minimize use of rodenticides and herbicides in the project area.

Verification: Implementation of the measures shall be reported in the quarterly compliance reports by the Environmental Coordinator. Within 30 days after completion of project deployment, the project operator shall provide to the CPM, for review and approval, a written construction termination report identifying how environmental resource measures have been completed. This report may or may not be coincidental with the quarterly monitoring report.

CRR-12: Unless determined necessary on an ongoing basis, improvements to the site made for the project such as concrete pads, gravel lining, and temporary or permanent fencing must be removed once the project's permit has expired.

Verification: Within one month of permanent cessation of operation, the project operator shall provide a final report documenting removal of project facilities (this may or may not be coincidental to the quarterly report).

CRR-13: The project operator shall comply with the terms and conditions of the Authority to Construct (ATC) and the Permit to Operate (PTO) issued by the Feather River Air Quality Management District (FRAQMD).

In the event that the air district finds the project to be out of compliance with the terms and conditions of the ATC/PTO, the project operator shall

notify the CPM of the violation, and the measures taken to return to compliance, within five days of the occurrence of the violation.

CRR-14: The project operator shall provide an emissions reporting protocol to the CPM for review and approval. The emissions reporting protocol shall explain the procedures for estimating criteria pollutant emissions during emergency operation and reliability testing. The protocol shall list the calculation methodologies, operational parameters used to quantify emissions (e.g., fuel flow, gross calorific value of fuel, predetermined emission factors, water injection, megawatts, etc.), and any assumptions made in the estimate. The protocol shall be submitted at the end of each operating quarter for approval.

Upon approval of the protocol, the operational emissions shall be reported using and presenting the same calculation methodologies, operational parameters and assumptions as contained in the approved emissions reporting protocol. Emissions shall be reported to the CPM quarterly. In addition to emissions reporting, the reported data shall include fuel use, hours of operation and times of operation, and energy produced by that use and operation.

NOISE COMPLAINT RESOLUTION FORM

Calpine Greenleaf 1 State Power Augmentation Site
NOISE COMPLAINT LOG NUMBER _____
Complainant's name and address:
Phone number: _____
Date complaint received: _____ Time complaint received: _____
Nature of noise complaint:
Definition of problem after investigation by plant personnel:
Date complainant first contacted: _____
Description of corrective measures taken:
Complainant's signature: _____ Date: _____
This information is certified to be correct:
Plant Manager's Signature: _____