

**DOCKETED**

<b>Docket Number:</b>	87-AFC-01C
<b>Project Title:</b>	COMPLIANCE-Luz Solar Electric Generating System Cogeneration AFC (150 MW) Units III-VII.
<b>TN #:</b>	241410
<b>Document Title:</b>	SEGS III-VII PTA Boundary Adjustment Staff Assessment
<b>Description:</b>	STAFF ANALYSIS OF PETITION TO AMEND THE FINAL COMMISSION DECISION
<b>Filer:</b>	susan fleming
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	2/4/2022 3:05:34 PM
<b>Docketed Date:</b>	2/4/2022



**DATE:** February 4, 2022

**TO:** Interested Parties

**FROM:** John Heiser, Compliance Project Manager

**SUBJECT: Solar Energy Generating Systems (SEGS) Units III- VII Kramer Junction (87-AFC-01C)**

### **STAFF ANALYSIS OF PETITION TO AMEND THE FINAL COMMISSION DECISION**

On January 11, 2022, NextEra Energy Resources-Operating Services (NEER), as agent for LUZ Solar Partners III-VII Ltd. (project owner), filed a petition for post certification project change (TN 41137-1) with the California Energy Commission (CEC) for the Solar Energy Generating Systems Units III-VII (SEGS III-VII) Kramer Junction. The petition for post certification project change is requesting to remove the SEGS III-V from the SEGS III-VII – Kramer Junction Final Decision (Decision). This petition would modify the site boundary to exclude the area of SEGS III-V. Approval would effectively end the CEC’s jurisdiction over the SEGS III-V portion of the site. Staff recommends that the CEC approve the petition for post certification project change requesting the removal of the SEGS III-V from the Decision.

The SEGS III-VII is located one mile north of Kramer Junction in unincorporated San Bernardino County and consisted of five 30-megawatt (MW) solar-thermal and natural-gas-fired units. These units used parabolic mirrors to concentrate solar energy for transfer into heat transfer fluid, which was used to create steam to generate up to 150 MW net total of electricity for the Southern California Edison transmission grid. The CEC certified the SEGS III-VII project in May 1988. Construction was completed and the facility went online in February 1989. The SEGS III-VII Facility Decommissioning and Closure Plan was approved by the CEC on June 9, 2021, with work in SEGS III-V area being completed on December 22, 2021. The remaining SEGS VI-VII decommissioning activities are scheduled to be completed by June of 2022.

The CEC staff has reviewed the petition pursuant to Title 20, California Code of Regulations, section 1769(a) (Changes in Project Design, Operation, or Performance) and assessed the impacts of this proposal on the environmental and the project’s compliance with applicable laws, ordinances, regulations, and standards (LORS).

Staff has determined that the proposed project boundary adjustment would result in no impacts on the environment and the project would remain in compliance with applicable LORS. In addition, the project change would not impact any population, including the

environmental justice population as shown in **Environmental Justice Figure 1, Figure 2, and Table 1.**

Staff intends to recommend approval of the petition at the February 16, 2022, CEC Business Meeting.

The CEC's webpage for this facility, <https://www.energy.ca.gov/powerplant/cogeneration/segs-iii-vii-kramer-junction>, has a link to the *SEGS III-VII Petition to Amend for Site Boundary Change* (TN 41137-1), and the Staff Analysis on the right side of the webpage in the box labeled "Compliance Proceeding." Click on the "Documents for this Proceeding (Docket Log)" option. If approved, the CEC's Order will be available from the same webpage.

This letter has been mailed to the CEC's list of interested parties and property owners adjacent to the facility site. It has also been emailed to the Siting list serve. The list serve is an automated CEC email system by which information about this facility is emailed to parties who have subscribed. To subscribe, go to the CEC's [webpage for this facility](#), cited above, scroll down the right side of the project's webpage to the box labeled "Subscribe," and provide the requested contact information.

Any person may comment on the Staff Analysis. Those who wish to comment should submit their comments by February 14, 2022. To use the CEC's electronic commenting feature, go to the CEC's webpage for this facility, cited above, click on the "[Submit e-Comment](#)" link and follow the instructions in the on-line form. Be sure to include the facility name in your comments. Once submitted, the CEC's Docket Unit reviews and approves your comments, and you will receive an email with a link to them.

Written comments may also be mailed or hand-delivered to:

California Energy Commission  
Docket Unit, MS-4  
SEGS III - VII (87-AFC-01C)  
715 P Street  
Sacramento, CA 95814

All comments and materials filed with and approved by the Docket Unit will be added to the facility Docket Log and become publicly accessible on the CEC's webpage for the facility.

If you have questions about this notice, please contact John Heiser, Compliance Project Manager for the Office of Compliance Monitoring and Enforcement, at (916) 628-5566 or via email at [John.Heiser@energy.ca.gov](mailto:John.Heiser@energy.ca.gov).

For information on public participation, please contact the Public Advisor, at (916) 654-4489 or (800) 822-6228 (toll-free in California) or send your email to [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov).

News media inquiries should be directed to the Media Office at (916) 654-4989, or by e-mail to [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

Mail List: 741

Listserv: Solar Energy Generating Systems (SEGS) III-VII – Kramer Junction

# **SOLAR ENERGY GENERATING SYSTEMS (SEGS) UNITS III-VII KRAMER JUNCTION (87-AFC-01C)**

## **Petition to Amend Commission Decision**

### **EXECUTIVE SUMMARY**

John Heiser

## **INTRODUCTION**

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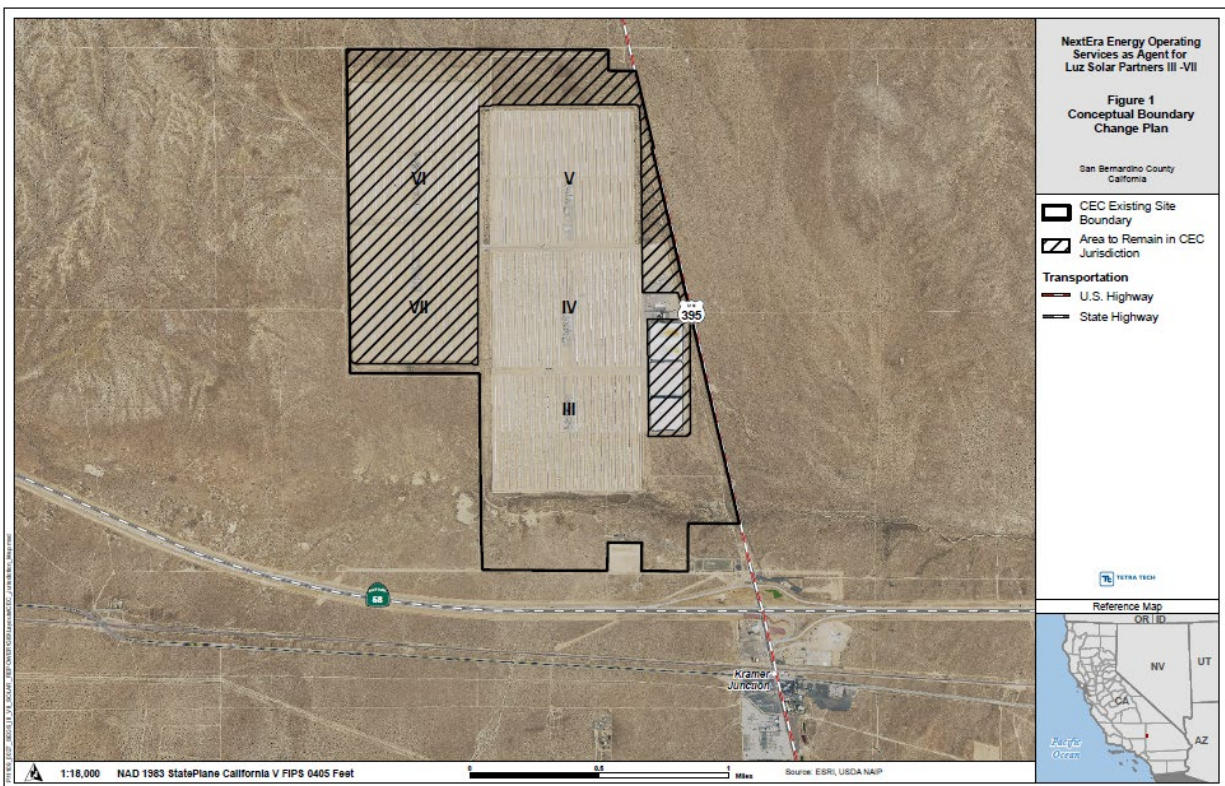
On January 11, 2022, NextEra Energy Resources-Operating Services (NEER), as agent for LUZ Solar Partners III-VII Ltd. (project owner), filed a petition for post certification project change (TN 41137-1) with the California Energy Commission (CEC) for the Solar Energy Generating Systems Units III-VII (SEGS III-VII) Kramer Junction. The petition for post certification project change is requesting to remove the SEGS III-V area from the SEGS III-VII – Kramer Junction Final Decision (Decision). This petition would modify the site boundary to exclude the area of the SEGS III-V effectively ending the CEC’s jurisdiction over the SEGS III-V portion of the site. Staff has completed its review of all materials received and staff recommends that the CEC approve the petition for post certification project change requesting the removal of the SEGS III-V from the Decision.

The purpose of the CEC’s review process is to assess whether the proposed petition would have a significant impact on the environment or cause the project to not comply with applicable laws, ordinances, regulations, and standards (LORS) (Cal. Code Regs., tit. 20, §1769). In addition to staff evaluated whether the approved decommissioning plan was fully implemented allowing the CEC to terminate its jurisdiction over the SEGS III-V area.

The scope of the analysis conducted by staff under California Code of Regulations section 1769 is limited to an evaluation of the incremental impacts, if any, of the proposed changes to the project on the environment, as well as a determination of the consistency of the proposed changes with the applicable LORS. The analysis of the proposed changes must be consistent with the requirements of California Environmental Quality Act Guidelines section 15162, which limits additional environmental review to any “substantial changes” that would result in greater environmental impacts than what was analyzed in the Final Decision. Under section 15162, the CEC may rely on the Decision for areas that would not have substantial changes. Here, staff has concluded that the proposed changes to the project do not include any substantial changes that would result in any new significant environmental impacts or a substantial increase in the severity of previously identified significant effects that would require additional analysis.

## PROJECT LOCATION AND DESCRIPTION

The SEGS III-VII is located at 41100 U.S. Highway 395 in Boron, California, one mile north of the town of Kramer Junction in unincorporated San Bernardino County. The SEGS III-VII consisted of five 30-megawatt (MW) solar-thermal and natural-gas-fired units. These units used parabolic mirrors to concentrate solar energy for transfer into heat transfer fluid, which is then used to create steam to generate up to 150 MW net total of electricity for the Southern California Edison transmission grid. The CEC certified the SEGS III-VII project in May 1988. Construction was completed and the facility went online in February 1989. The SEGS III-VII Facility Decommissioning Plan (Facility Plan) was approved by the CEC on June 9, 2021, with work in the SEGS III-V area being completed on December 22, 2021. The SEGS VI-VII decommissioning activities are scheduled to be completed by June of 2022.



Staff has reviewed the post certification project change and concludes that the removal of the SEGS III-V area from the Decision would not have a significant effect on the environment or cause the project to not comply with applicable LORS.

The post certification project change requests a boundary modification of the site identified in the Decision to exclude and remove the area previously occupied by the SEGS Units III, IV and V as shown in **Executive Summary Figure 1**. All decommissioning activities within the areas previously occupied by the SEGS Units III - V area have been completed in accordance with the approved Facility Plan and with all

applicable conditions of certification (COCs) contained in the Decision. The purpose of the boundary change is to allow a new solar photovoltaic (PV) solar project to begin construction pursuant to a permit issued by San Bernardino County while the remaining decommissioning activities for SEGS Units VI and VII continue to completion.

## **NECESSITY FOR BOUNDARY CHANGE AND LICENSE AMENDMENT**

Title 20, California Code of Regulations, sections 1769 (a)(1)(B) and 1769 (a)(1)(C) require a discussion of the necessity for the proposed project change and a description of any new information or change in circumstances that necessitated the change.

The proposed amendment is necessary to remove the SEGS III–V area from the CEC license since the SEGS III-VII area is currently no longer operational and all decommissioning and closure activities have been completed. Additionally, the removal of the SEGS III-V area from the license will allow a transition of authority, including land use entitlements and environmental approvals, to the County of San Bernardino and construction of clean energy projects specifically solar PV and battery storage.

## **STAFF’S ANALYSIS OF THE PETITION TO AMEND**

Title 20, California Code of Regulations, section 1769 states that a project owner shall petition the CEC for approval of any change it proposes to the project design, operation, or performance requirements of a certified facility. This petition seeks to remove three solar thermal fields, the SEGS III-V area, from the overall project boundary, thus terminating the CEC jurisdiction over these specific sites. The SEGS III-V area was subject to the CEC approved decommissioning plan that set forth how the facility could be safely shutdown and equipment removed in a manner that does not significantly impact the environment or human health, is consistent with other environmental and health and safety laws and allows for the sites to be repurposed.

The SEGS III-VII decommissioning plan specifically addressed the following areas:

- Draining of any fluid systems not previously drained during cold layup, collect all contents, and dispose of or recycle per applicable laws to ensure public health and safety, and protection of the environment.
- Categorization of all wastes including any remaining heat transfer fluid (HTF), lubricating oils, fuels, water treatment chemicals, universal waste, and possible lead and asbestos-containing materials, etc., and manage the materials for proper containerization, profiling, and shipment off-site for disposal or recycling.
- Identification of utility systems required for the future solar PV project.

- Design and installation of temporary facilities for support of SEGS decommissioning and contractor personnel such as office trailers, temporary power, potable water, and sanitary service.
- Equipment liquidation/sales, recycling, or disposal activities.

Equipment to be removed includes:

- The SEGS III-VII cooling towers: This includes an evaporative cooling tower system
- Power block: This includes storage tanks, steam turbine generator, transformers, heat exchangers, power block, pumps, and other ancillary equipment.
- Parabolic mirrors, above-ground supports, above-ground HTF piping, and related equipment.

Materials and equipment at the project site that will not be reused for the planned solar PV facility will be removed, and transported for re-use, recycling, and/or salvage value to the greatest extent possible. This includes the cooling towers, power block, heaters, and water treatment facility, as well as other ancillary equipment. These materials will be transported off-site by the contractor to be sold for salvage value (e.g., any working equipment), or recycling/scrap value (e.g., metal scrap, piping, etc.).

To save resources some components of the facility may be left in place for future use in the planned solar PV project. These components include solar tracker foundations, underground utilities and installations, the switchyards, off-site generator-tie line and other utility infrastructure.

As discussed below in the technical sections, staff through monthly compliance reports (MCR), safety monitor reports, and site photos, has monitored the implementation of the decommissioning plan ensuring the plan's requirements have been met and that the site has been cleared as required.

Staff has also reviewed the petition for potential environmental impacts and consistency with applicable LORS. Staff's conclusions for all technical and environmental areas are summarized in **Executive Summary Table 1.**



**EXECUTIVE SUMMARY TABLE 1**  
**Summary of Conclusions for all Technical and Environmental Areas**

Technical Areas Reviewed	CEQA				Conforms with applicable LORS
	Potentially Significant Impact	Less Than Significant Impact with Mitigation (with Revised or New COCs)	Less Than Significant Impact (with or without Existing COCs)	No Impact	
Air Quality				X	X
Biological Resources				X	X
Cultural Resources				X	X
Efficiency				X	
Facility Design					
Geological and Paleontological Resources				X	X
Hazardous Materials Management				X	X
Land Use				X	X
Noise and Vibration				X	X
Public Health				X	X
Reliability					
Socioeconomics				X	
Soil and Water Resources				X	X
Traffic and Transportation				X	X
Transmission Line Safety and Nuisance				X	X
Transmission System Engineering					
Visual Resources				X	X
Waste Management				X	X
Worker Safety and Fire Protection				X	X

Areas shown in gray are not subject to CEQA consideration or have no applicable LORS the project must comply with.

Staff has determined that the proposed project change would result in no impacts or less than significant impacts on the environment and the project would remain in compliance with applicable LORS. In addition, the project change would not impact any population, including the environmental justice population as shown in **Environmental Justice Figure 1, Figure 2, and Table 1.**

The basis for each of staff's conclusions is provided below:

- **AIR QUALITY AND GREENHOUSE GASES (GHG).** The requested project change would modify the site boundary to exclude the area previously occupied by the SEGS Units III - V area. All decommissioning activities within these areas have been completed in compliance with the new conditions of certification as demonstrated by the MCRs, including Air Quality Conditions of Certification **D-AQ-1** through **D-AQ-6**. The Final MCR submitted on December 27, 2021, satisfied the last reporting obligation imposed by Air Quality related conditions of certification. The current request to modify the site boundary to exclude the area previously occupied by the SEGS Units III - V area would have no impact on Air Quality or GHGs as there would be no physical changes to the site and no air pollutants and GHG emissions associated with the boundary adjustment. The project would continue to conform with the applicable LORS related to air quality and GHG.
- **BIOLOGICAL RESOURCES.** The requested project change would modify the site boundary to exclude the area previously occupied by the SEGS Units III - V area. All decommissioning activities within these areas have been completed in compliance with the new conditions of certification as demonstrated by the MCRs including Conditions of Certification **D-BIO-1** through **D-BIO-4**. The MCR submitted on December 27, 2021, satisfied the reporting obligations for the SEGS III - V area imposed by biological resources-related conditions of certification. There are no further activities proposed for decommissioning of the SEGS Units III - V area that could impact biological resources. The current request to modify the site boundary to exclude the area previously occupied by the SEGS Units III - V area would have no impact on biological resources as there would be no physical changes to the site and no ground disturbance associated with the boundary adjustment. The project would continue to conform with the applicable LORS related to biological resources.

However, further development of the site will require avoidance of take of desert kit fox (*Vulpes macrotis arsipus*) occupying the site. Desert kit fox are known to occupy burrows detected within a berm below the security fence of the SEGS Units III - V area and confirmed occupied by at least two adults during biological monitoring during decommissioning. Desert kit fox are considered a special-status species and protected under California Code of Regulations, title 14, section 460 relative to California furbearers, whereby desert kit fox cannot be "taken" (i.e., injured, killed) at any time. In addition, other special-status species could occupy the site that have not previously been detected on site during biological monitoring, especially if redevelopment activities do not occur immediately and the site remains undeveloped for an extended time period. San Bernardino County will assume jurisdiction over the area upon removal of the SEGS Units III, IV and V from the SEGS VI and VII site boundary. Per the Letter of Approval issued as part of the Approval Package for Resurgence Solar I and II, the developer must ascertain compliance with all LORS and any other requirements of federal, state, county and local agencies that may apply for the

development and operation of the approved land use. The project owner must therefore be responsible for coordination with California Department of Fish and Wildlife (CDFW) and San Bernardino County for compliance with all LORS as they pertain to biological resources. In addition, the project owner is responsible for coordination with CDFW and U.S. Fish and Wildlife Service, as needed, for other special-status species encountered on site. The project owner plans to develop a Resurgence Solar Desert Kit Fox Management Plan, which will be provided to CDFW for review.

- **CULTURAL RESOURCES.** The cultural resources literature prepared during the licensing and construction phases of the SEGS III – VII area indicates that four previous cultural resource studies were conducted on or adjacent to the project site (Lerch 1986; Norris and Carrico 1978; Reynolds 1986; Reynolds et al. 1987).

The SEGS Units III – V once contained eight recorded cultural resources:

1. CA-SBR-5729H (R 1.10.1): Randsburg Railroad Camp
2. CA-SBR-5730H (H 27.4): Kramer-Randsburg Railroad Crossing
3. P-36-005731 (CA-SBR-5731H): A railroad grade (Randsburg Railway)
4. P209-4 (H27.1): Historic railroad debris, primarily domestic artifacts
5. P209-5 (L 1.10.1): Chalcedony flake
6. P209-6 (L. 1.10.2): Stone flake
7. P210-10 (I.27.4): Stone flake
8. P209-11 (I 27.5): Jasper flake

The SEGS Units VI and VII contained eight previously recorded cultural resources:

1. CA-SBR-5730H (H 27.4): Kramer-Randsburg Railroad Crossing
2. P-36-005731 (CA-SBR-5731H): A railroad grade (Randsburg Railway)
3. A209-13 (Y-1 Isolate): Jasper flake, bifacial
4. P209-6 (L. 1.10.2): Stone flake
5. P209-7 (W 1.10.3): Chalcedony knife
6. P209-8 (I.27.2): Stone flake
7. P209-9 (I.27.3): Agate flake and chert flake
8. P209-12 (L 1.10.3): Chalcedony flake (possible tool)

These cultural resources were visible on the ground surface and comprised archaeological resources, both isolated Native American artifacts and early twentieth-century historic archaeological sites. The resources identified on the project site appear to be restricted to the ground surface. Archaeologists

collected all surface and subsurface archaeological materials encountered prior to construction of the power plant. The CEC staff has no record of project construction having unearthed additional cultural resources.

Cultural resources on the project site sat atop soils and sediments that investigators identified as Pleistocene older alluvium and Quaternary (Holocene to Pleistocene) alluvium (Reynolds et al. 1987, page 9). This is consistent with geologic maps of the project site. The San Bernardino County geologic sheet covers the southern portion of the project site and maps the surface geology as Qal—Qc, indicating a continuum of Pleistocene to Recent (Holocene) alluvium (Rogers 1967). The Trona sheet, which covers the northern portion of the project site, maps the area as Recent (Holocene) alluvium with areas probably of Pleistocene-aged, dissected alluvium (Jennings et al. 1962). In short, the ground surface of the project site could be as old as 2,580,000 million years to as recent as the historic period.

Between July 1 and December 22, 2021, additional ground-disturbing activities occurred in the SEGS Units III – V area in connection with the overall decommissioning of the SEGS III – VII. The project owner reported no inadvertent cultural resource discoveries during decommissioning of the SEGS Units III – V area. (Farkas 2021; Kalina 2021a–2021 d.)

Removal of the SEGS Units III – V area from the CEC - licensed facility site would not result in impacts on cultural or tribal cultural resources. The redefinition of the facility site boundary would not require alteration of the ground surface. Additionally, the archaeological materials once present on the ground surface of the SEGS Units III–V area were collected and curated in the San Bernardino Museum. Therefore, no impacts on cultural or tribal cultural resources are foreseeable.

As noted earlier in this analysis, eight previously recorded cultural resources were identified in the remaining SEGS Units VI and VII, which would remain in CEC jurisdiction through completion of decommissioning activities. Conditions 4-4 and 4-5a and 4-5d–h, as well as decommissioning conditions **D-CUL-1** through **D-CUL-3**, would continue to apply in SEGS Units VI and VII. If decommissioning activities in the remaining SEGS Units VI and VII result in inadvertent impacts on cultural or tribal cultural resources, the existing conditions of certification will reduce such impacts to a less-than-significant level.

- **EFFICIENCY.** Power Plant Efficiency is related to plant operation. There would be no efficiency impacts as the result of this amendment.
- **FACILITY DESIGN.** Since Power Plant Facility Design is only related to plant facility design there would be no facility design impacts related to the project boundary adjustment.

- **GEOLOGICAL AND PALEONTOLOGICAL RESOURCES.** The change in project boundary and the removal of the SEGS III - V area from the project would not result in any ground disturbing activities of soil that had not been previously disturbed or excavation that would result in the creation of a geologic hazard or impact paleontological resources. Therefore, staff concludes the proposed modification to the project would not result in impacts to geological and paleontological resources or cause the project to not comply with applicable LORS.
- **HAZARDOUS MATERIALS MANAGEMENT.** The decommissioning activities for the SEGS Units III - V area have been verified complete by the Delegate Chief Building Official and the hazardous materials have been removed from these three locations. Therefore, the change in the project boundary would have no impact on the offsite public or the environment.
- **LAND USE.** The project owner obtained a Demolition Permit from San Bernardino County in compliance with COC **D-LU-1** in the Facility Plan and completed all decommissioning activities (removal of structures, equipment, and facilities) for the SEGS III - V area proposed to be removed from the Decision. Remaining materials from the SEGS III - V area were moved to the portion of the site that would remain within the CEC license so continued crushing, sorting, and disposal activities could take place in compliance with the COCs in the Facility Plan. The proposed change in the project boundary would not physically divide an established community or cause a significant environmental impact due to a conflict with LORS adopted for the purpose of avoiding or mitigating an environmental effect. Further, the change would not result in the conversion of Farmland or forest land. Therefore, no impact to land use would occur. Construction of the planned PV solar project at the area previously occupied by the SEGS III - V area would occur under the land use and permitting authority of the County of San Bernardino.
- **NOISE AND VIBRATION.** There would be no noise impacts related to the project boundary adjustment. No major noise-producing activities would occur.
- **PUBLIC HEALTH.** The current request to modify the site boundary to exclude the area previously occupied by the SEGS Units III - V area would have no impact on Public Health as there would be no physical changes to the site and no emissions associated with the boundary adjustment. The project would continue to conform with the applicable LORS related to Public Health.
- **RELIABILITY.** Power Plant Reliability is related to plant operation. There would be no impacts as the result of this amendment.
- **SOCIOECONOMICS.** The change in the project boundary would have no impacts on socioeconomics. There is no socioeconomics related LORS applicable

to the change and there would be no workforce related impacts on population, housing, and public services.

- **SOIL AND WATER.** The requested project change would modify the site boundary to exclude the area previously occupied by the SEGS Units III - V. All decommissioning activities within these areas have been completed in compliance with the new conditions of certification **D-S&W-1** and **D-S&W-2** as demonstrated by the MCRs. The Final MCR submitted on December 27, 2021, satisfied the last reporting obligation imposed by the new and existing Soil and Water Resources related conditions of certification. The current request to modify the site boundary to exclude the area previously occupied by the SEGS III- V area would have no impact on soil and water resources as there would be no physical changes to the site and no ground disturbance or generation of wastewater associated with the boundary adjustment. The project would continue to conform with the applicable LORS related to soil and water resources.
- **TRAFFIC AND TRANSPORTATION.** The removal of the area previously occupied by the SEGS III - V area from the Decision would not generate additional trips or vehicle miles travelled associated with the SEGS III - VII. All decommissioning activities within the SEGS III - V area of the site were performed in compliance with the COCs included in the Facility Plan and the remaining decommissioning activities would continue to be completed subject to the COCs in the Facility Plan in compliance with LORS. The proposed change would not conflict with LORS addressing the circulation system, substantially increase hazards, or result in inadequate emergency access. Therefore, the proposed boundary modification would not cause an impact to traffic and transportation.
- **TRANSMISSION LINE SAFETY AND NUISANCE (TLSN).** The current request to modify the site boundary to exclude the area previously occupied by the SEGS Units III - V area would have no impact on TLSN as there would be no physical changes to the site associated with the boundary adjustment. The project would continue to conform with the applicable LORS related to TLSN.
- **TRANSMISSION SYSTEM ENGINEERING.** The proposed project boundary change does not include activities with the transmission lines or within the project switchyard and would not impact the transmission grid. Therefore, there will be no impacts to transmission system engineering. In addition, the project will comply with applicable LORS, and will not require a change to any of the COCs.
- **VISUAL RESOURCES.** The requested site boundary adjustment and the removal of the area previously occupied by the SEGS III - V area would have no impact on applicable visual resources related federal, state, and local LORS. Also,

it would not have a substantial adverse effect on a scenic vista, scenic resources, the existing visual character, or quality of public views of the project site and its surroundings, or a new source of substantial light or glare adversely affecting day or nighttime views in the area.

- **WASTE MANAGEMENT.** The proposed change in project boundary and the removal of the SEGS III - V area from the project footprint would not result in the creation of any new solid waste streams, and the current quantities of solid waste generated at the facility would not fluctuate outside the requirements currently outlined in the existing conditions of certification. Therefore, staff concludes the proposed change to the project would not result in impacts to solid waste generation or management at the facility. Also, the proposed change would not cause the project to not comply with applicable LORS.
- **WORKER SAFETY AND FIRE PROTECTION.** The decommissioning activities for the SEGS III - V have been verified complete by the Delegate Chief Building Official and there are no longer any demolition activities occurring at these three locations. Therefore, the change in the project boundary would have no impact on worker health and safety.

## Environmental Justice

Environmental Justice Figure 1 shows 2020 census blocks in the six-mile radius of the SEGS III-VII site with a minority population greater than or equal to 50 percent. The population in these census blocks represents an environmental justice (EJ) population based on race and ethnicity as defined in the United States Environmental Protection Agency's *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. Staff conservatively obtains demographic data within a six-mile radius around a project site based on the parameters for dispersion modeling used in staff's air quality analysis. Air quality impacts are generally the type of project impacts that extend the furthest from a project site. Beyond a six-mile radius, air emissions have either settled out of the air column or mixed with surrounding air to the extent the potential impacts are less than significant. The area of potential impacts would not extend this far from the project site for most other technical areas included in staff's EJ analysis.

Based on California Department of Education data in the **Environmental Justice Table 1**, staff concluded that the percentage of those living in the Muroc Joint Unified School District (in a six-mile radius of the project site) and enrolled in the free or reduced-price meal program is not larger than those in the reference geography. Thus, the population in the school district is not considered an EJ population based on low income as defined in *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. **Environmental Justice Figure 2** shows where the boundaries of the school district are in relation to the six-mile radius around the SEGS III-VII site.

**ENVIRONMENTAL JUSTICE FIGURE 2**  
**Low Income Data within the Project Area**

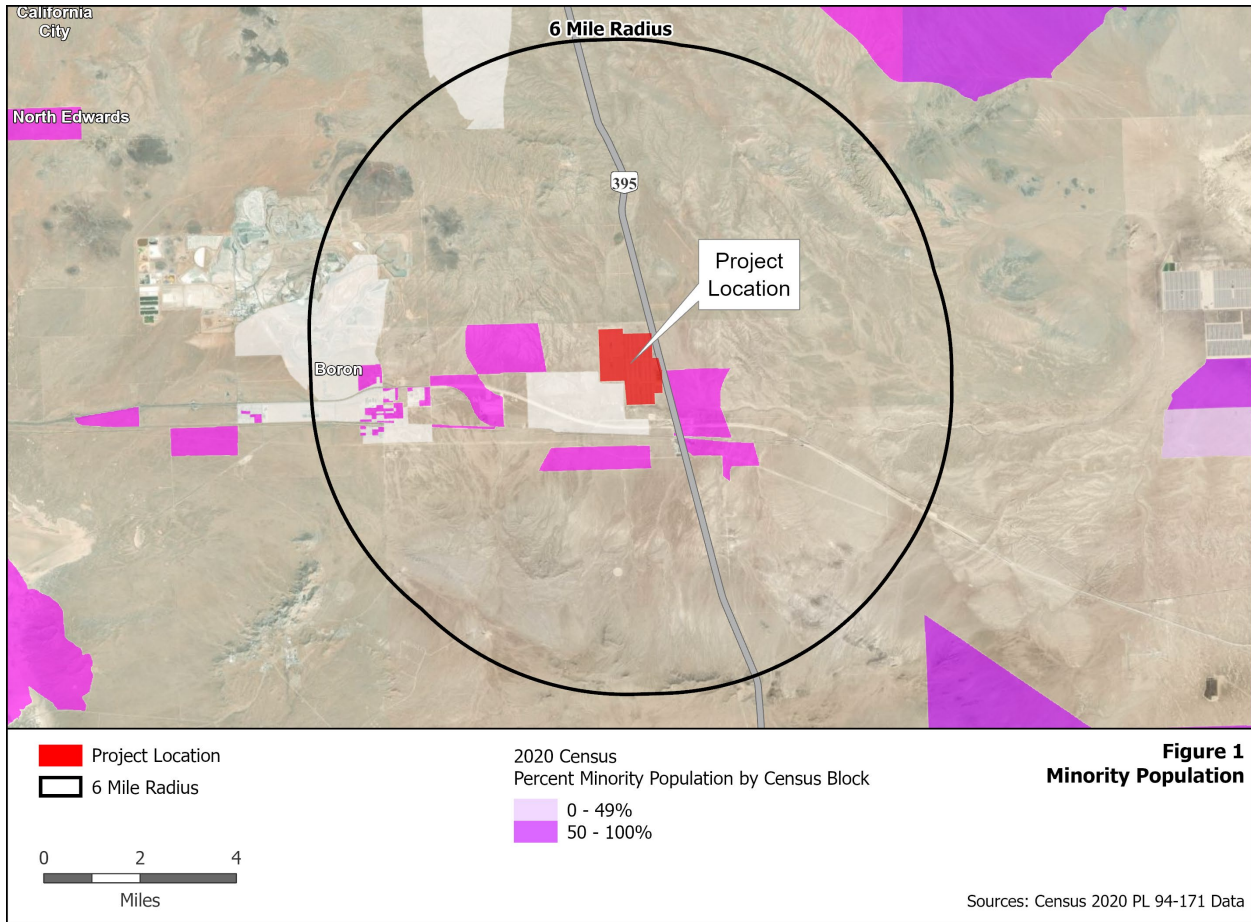
SCHOOL DISTRICTS IN SIX-MILE RADIUS	Enrollment Used for Meals	Free or Reduced-Price Meals	
Muroc Joint Unified	1,687	477	28.3%
REFERENCE GEOGRAPHY			
Kern County	195,310	139,874	71.6%
<b>Source:</b> CDE 2021. California Department of Education, DataQuest, Free or Reduced-Price Meals, District level data for the year 2020-2021, < <a href="http://dq.cde.ca.gov/dataquest/">http://dq.cde.ca.gov/dataquest/</a> >.			

The following technical and environmental areas (if affected) consider impacts to EJ populations: Air Quality, Cultural Resources (indigenous people), Hazardous Materials Management, Land Use, Noise and Vibration, Public Health, Socioeconomics, Soil and Water Resources, Traffic and Transportation, Transmission Line Safety and Nuisance, Visual Resources, Waste Management, and Worker Safety and Fire Protection.

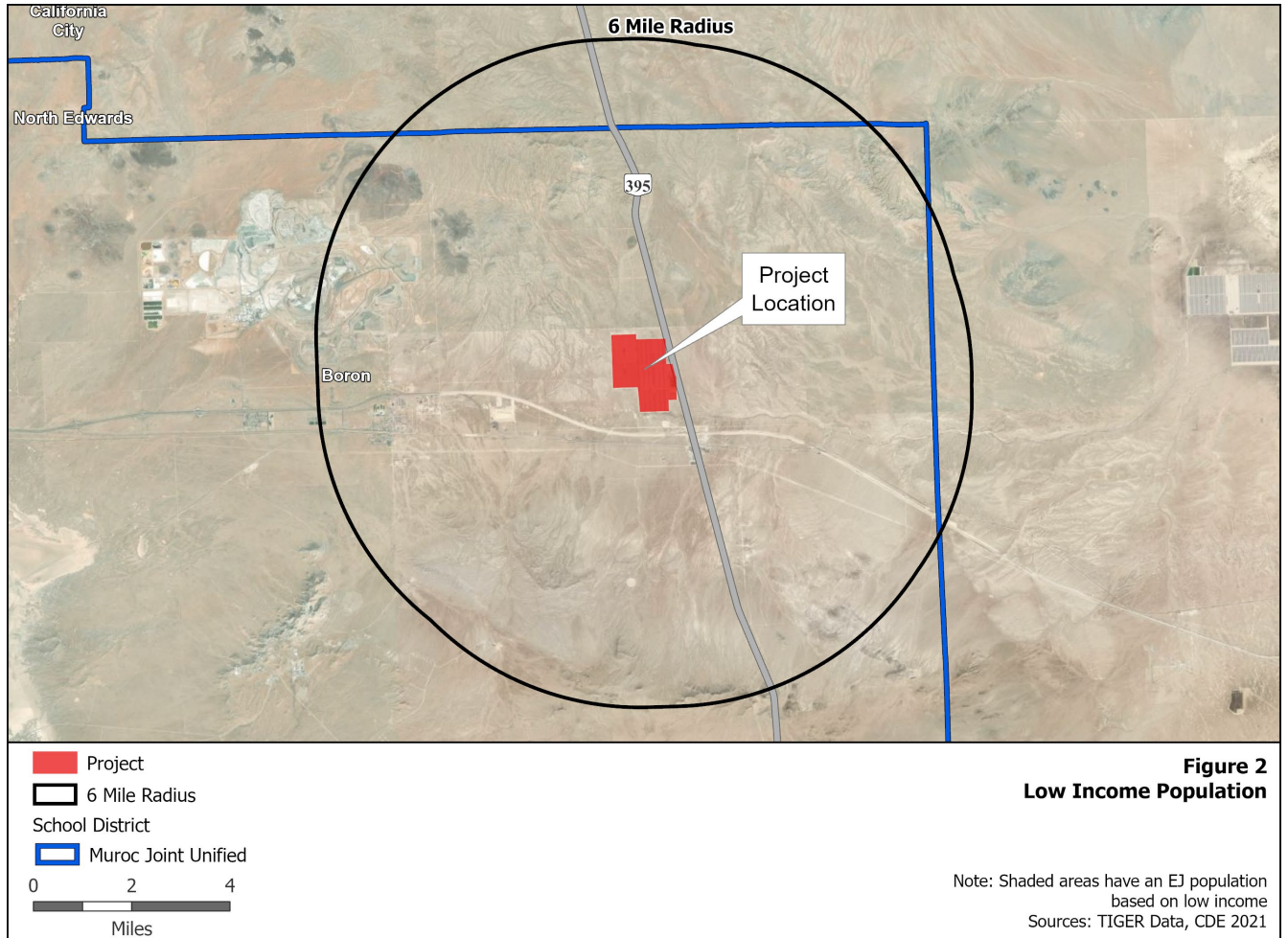


# ENVIRONMENTAL JUSTICE FIGURE 1

## Minority Population



## ENVIRONMENTAL JUSTICE FIGURE 2 Minority Population



**Figure 2**  
**Low Income Population**

### Environmental Justice Conclusions

The proposed change in the project boundary would not result in any new physical changes to the environment that were not previously analyzed in the Facility Plan. The technical and environmental areas that address EJ concluded that no impact would occur under CEQA, and the change would be in conformance with all applicable LORS (see **Executive Summary Table 1** above). Therefore, staff concludes that there would be no impacts on the EJ population, represented in **Environmental Justice Figures 1 and 2**, and **Table 2**.

### CEC STAFF RECOMMENDATIONS AND CONCLUSIONS

Staff concludes the following:

- (i) The decommissioning of SEGS III-V has been completed consistent with the approved decommissioning plan.
- (ii) that there is no possibility that the boundary adjustment will have a physical effect on the environment, and
- (iii) that the boundary adjustment would not cause the project to fail to comply with any applicable laws, ordinances, regulations, or standards.
- (iv) Therefore, staff will recommend approval of the petition to the CEC.

## **REFERENCES**

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