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Project Title:	La Paloma Generating Project
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Document Title:	Petition to Amend
Description:	This petition is provided to request approval of changes to the LPGP operating under the California Energy Commission (CEC) Application for Certification No. 98-AFC-02C as required under Title 20, California Code of Regulations (CCR), section 1769. The sections of this petition follow the requirements under CCR 1769(a)(1).
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**La Paloma Generating Project
Petition for Modification**

Kern County, California

February 8, 2022

Prepared for:

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1.0 INTRODUCTION

CXA La Paloma, LLC (La Paloma) currently operates a 1,048-megawatt natural gas-fired, combined cycle power plant located in Kern County, California. La Paloma's Title V facility operating permit S-3412 has been issued by the San Joaquin Valley Air Pollution Control District (SJVAPCD). The plant requires approximately 5,500 acre-feet of water annually for cooling and process operations, which is supplied by the West Kern Water District (WKWD). The WKWD currently pumps water from the California Aqueduct via an eight-mile-long pipeline and pump station to the La Paloma Generating Plant (LPGP). The electric pump is currently operated exclusively with grid power. Whenever grid power is interrupted, direct pumping of water stops and LPGP has less than 8-hours of process/cooling water to safely shutdown. To generate an uninterruptable power to the California Independent System Operator (CA ISO grid), La Paloma plans to install an emergency standby electrical generator (genset) to power the water pump when grid power is interrupted.

This petition is provided to request approval of changes to the LPGP operating under the California Energy Commission (CEC) Application for Certification No. 98-AFC-02C as required under Title 20, California Code of Regulations (CCR), section 1769. The sections of this petition follow the requirements under CCR 1769(a)(1).

2.0 EVALUATION OF CHANGE IN PROJECT DESIGN, OPERATION, OR PERFORMANCE REQUIREMENTS

The following evaluation documents all requirements for a formal petition for approval of proposed changes to the Project design and operation.

2.1 DESCRIPTION OF PROPOSED CHANGE

As described in Section 1, La Paloma is proposing to install an emergency standby electrical generator (genset) to power the existing WKWD pump station water pumps for process/cooling water at the LPGP in the event of grid power loss. The WKWD pump station area is zoned exclusive agriculture (A) by Kern County. The existing pump station is an approved use pursuant to the Kern County zoning.

The emergency genset consists of an 1,829 bhp Caterpillar diesel engine driving a 1,250-kW generator used to power the existing water pumps. The engine is a 2021 model year and is certified by the Environmental Protection Agency (EPA) to the Tier 2 nonroad engine emission standards for stationary emergency applications under Engine Family MCPXL32.0NZS. The genset will have an accompanying diesel storage tank with secondary containment. The primary diesel storage is a 5,155 gallon double-walled tank with a secondary containment of 6,190 gallons.

The entire genset and tank skid will be enclosed in a Conex container that will provide sound mitigation and security. To minimize visual impacts, it will be painted to match the surrounding infrastructure. For



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added security, the entire site is surrounded by a 7-foot brick wall with two locked chain-link gates for access. A 24-hour remote accessed security system including a camera, laser barriers, visual light, and audio system are monitored and alarmed at the main LPGP control room and by an offsite security company.

The genset will be located at the WKWD pump station, adjacent to the California Aqueduct, approximately 8 miles away from the LPGP.

The WKWD pump station is in a rural area with the nearest sensitive residential use located 9,050 feet north-northeast from the site, and the nearest business approximately 18,350 west-northwest from the site. The existing site has been fully graded and is overlain with pea gravel. The existing site consists of various pumps, a transformer, underground vault, air bladder, and unstaffed control room. The existing site is secured by a brick fence and locking gates.



Figure 1: Existing WKWD Site

All existing conditions of certification in the Application for Certification No. 98-AFC-02C have been reviewed and it has been determined that none will require a change nor deletion as a result of this modification. An application for an air permit has been submitted to the SJVAPCD. The District has issued a draft air permit with additional conditions for operation of the genset to ensure ongoing compliance with all applicable rules and regulations. A copy of the draft Authority to Construct (ATC) permit is included as Appendix A.

2.2 NECESSITY FOR PROPOSED CHANGE

The proposed change is needed to ensure continuous generation of power by the LPGP by preventing disruption in the delivery of water to the facility during grid power interruptions. During grid power



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interruptions, the emergency genset would supply electrical power to the pump station, to ensure that LPGP continues to receive the process/cooling water needed to operate. Without backup power, the facility would need to shutdown within 8 hours of grid power loss.

2.3 CHANGE IN CIRCUMSTANCES

When the facility was originally permitting, the power grid was much more reliable, with few annual interruptions at the WKWD pump station. More recently, the increased heat waves in California have put a strain on the grid and have resulted in planned or forced power outages.

2.4 EFFECTS ON THE ENVIRONMENT

The following subsections present a discussion of the potential environmental impacts from the proposed Project modification at the WKWD pump station. The pump station will be operated by LPGP, of which an environmental analysis has been prepared, as presented in the Application of Certification. More detail is provided as necessary for those areas where the potential for a significant impact may exist.

2.4.1 Air Quality

The proposed change will require minor land disturbance in order to install the emergency generator at the existing pump station. A concrete pad will be poured to hold the generator and the accompanying diesel storage tank. The installation of the generator will result in negligible air emissions.

An air permit application was submitted to the SJVAPCD and resulted in the draft ATC presented in Appendix A. This demonstrates that the genset and diesel tank will not cause or contribute to the violation of an applicable ambient air quality standard. Furthermore, the genset and diesel tank will comply with all applicable laws, ordinances, regulations, and standards.

The 1999 CEC Decision approving the construction and operation of the LPGP found the Project to be in compliance with all applicable laws, ordinances, regulations, and standards. With the additional genset and diesel tank conditions the modified Project will continue to comply with all applicable laws, ordinances, regulations, and standards. Therefore, the proposed changes are not expected to alter the assumptions or conclusions made in the 1999 CEC Decision or subsequent license amendments.

2.4.2 Biological Resources

The proposed site has been previously disturbed and is entirely secure and fenced in. The proposed site changes will only include the installation of an emergency diesel generator and diesel storage tank. The proposed change does not include any new groundbreaking activities at the WKWD pump site. Therefore, the proposed change is not expected to impact biological resources and does not change the biological resources impact analysis conclusions as presented in the 1999 CEC Decision or subsequent amendments for the Project. Moreover, the genset and diesel tank will comply with all applicable laws, ordinances, regulations, and standards.



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2.4.3 Cultural and Tribal Resources

The proposed site has been previously disturbed and is entirely secured and fenced in. The proposed change will only include the installation of an emergency diesel generator and diesel storage tank. The proposed change does not include any groundbreaking activities at the WKWD pump site and therefore there will not be any expected impacts to native soils. As such, Cultural and Tribal Resource impacts are not expected.

The Project modification will comply with applicable laws, ordinances, regulations, and standards and will not cause any cultural and tribal resources impacts greater than those previously analyzed by the 1999 CEC Decision or subsequent license amendments.

2.4.4 Energy

The proposed change will include the installation of an emergency diesel generator and diesel storage tank. The proposed change will increase the amount of annual petroleum fuel use. However, other than emergency standby operation, the generator will only be operated up to 50 hours per year for maintenance and reliability testing purposes. Therefore, the increase in petroleum fuel use would be minor. The proposed change would not consume additional electricity, natural gas, or other energy resources. Energy impacts from construction and operation of the proposed change will be minor and less than significant.

2.4.5 Geologic Hazards and Resources

The proposed site has been previously disturbed and is entirely secured and fenced in. The proposed change will include the installation of an emergency diesel generator and double-walled diesel storage tank. The proposed change does not include any groundbreaking activities at the WKWD pump site. Therefore, Project modification will not be susceptible to any geologic hazards greater than those previously analyzed by the CEC during licensing of the LPGP, and the conditions imposed in the 1999 CEC Decision are adequate to protect the environment with respect to geological resources.

The proposed change will comply with applicable laws, ordinances, regulations, and standards and will not cause any geologic hazards and resources impacts greater than those previously analyzed by the 1999 CEC Decision or subsequent license amendments.

2.4.6 Greenhouse Gases

The proposed change will include the installation of an emergency diesel generator and double-walled ultra-low sulfur diesel storage tank. Other than emergency standby operation, the generator will only be operated up to 50 hours per year for maintenance and reliability testing purposes. As a result, operations are expected to be minor and will not generate a significant level of greenhouse gas emissions. Moreover, the proposed change will be consistent with all applicable laws, ordinances, regulations, and standards.



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2.4.7 Hazardous Materials Management

The modifications to the Project would include installing a diesel emergency generator with an accompanying double-walled diesel storage tank. The proposed modifications will not result in hazardous materials management impacts beyond those analyzed in the 1999 CEC Decision or subsequent license amendments. The Project will continue to comply with all applicable laws, ordinances, regulations, and standards. Pursuant to existing regulations LPGP is completing a hazardous materials business plan that will address any potential upset from the double-walled diesel storage tank. Notably, the tank has double containment and will be monitored on a regular basis by LPGP technical staff. The hazardous materials business plan will be filed with the County of Kern upon completion of the installation.

2.4.8 Hydrology and Water Quality

The proposed change will include the installation of an emergency diesel generator and double-walled diesel storage tank. There are no new groundbreaking activities at the WKWD pump site. The change will not impact the site's hydrology or surface runoff that may impact nearby water quality. The modified Project will continue to comply with all applicable laws, ordinances, regulations, and standards. Pursuant to existing regulations, LPGP will be completing a Spill Prevention, Control, and Countermeasure Plan (SPCC) to address the potential upset of the double-walled storage tank.

2.4.9 Land Use and Planning

The Project vicinity is zoned exclusive agriculture (A) by Kern County. The existing pump station is an approved use pursuant to the Kern County zoning. The addition of the emergency generator and double-walled storage tank would also be an approved use. Government Code Section 53091(e) says zoning ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, treatment, or transmission of water, or for the production or generation of electrical energy. The proposed modification will include the installation of an emergency diesel generator and double-walled diesel storage tank for the purpose of transmitting water. There are no additional construction or groundbreaking activities at the WKWD pump site. The proposed change will not result in any land use impacts beyond those analyzed in the 1999 CEC Decision or subsequent license amendments. In addition, the modified Project will continue to comply with all applicable laws, ordinances, regulations, and standards.

2.4.10 Noise

The proposed change will include the installation of an emergency diesel generator and double-walled diesel storage tank. There are no groundbreaking activities at the WKWD pump site that will generate noise. Operation of the diesel emergency generator would generate minor noise levels; however, other than emergency standby operation, the generator will only be operated up to 50 hours per year for maintenance and reliability testing purposes. As described in the project change description, the genset and tank will be enclosed in a Conex container. Also, the entire site is surrounded by a 7-foot brick wall with two locked chain-link gates for access. These features add further noise mitigation. There are no sensitive receptors within 1,000 feet of the site. The nearest residence is approximately 9,050 feet from



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the site. Since noise attenuates with distance, any minor noise created by the diesel emergency generator or during installation and construction would not increase noise levels at nearby sensitive receptors. The modification to the WKWD pump facility will comply with all applicable laws, ordinances, regulations, and standards and will not result in any noise impacts beyond those analyzed in the 1999 CEC Decision or subsequent license amendments.

2.4.11 Paleontological Resources

The proposed change will include the installation of an emergency diesel generator and double-walled diesel storage tank. There are no groundbreaking activities at the WKWD pump site and therefore there will be no expected impact to native soils. As such, paleontological resource impacts are not expected.

The Project modification will continue to comply with applicable laws, ordinances, regulations, and standards and will not result in any paleontological resource impacts beyond those analyzed in the 1999 CEC Decision or subsequent license amendments.

2.4.12 Socioeconomics

The proposed change will include the installation of an emergency diesel generator and diesel storage tank. There are no groundbreaking activities at the WKWD pump site, and the modified Project will not result in any impacts to population, housing, employment patterns, or community services (law enforcements, fire services, and parks and recreation). Additionally, no impacts to environmental justice areas are expected. Therefore, no negative socioeconomic impacts are expected due to the proposed change.

2.4.13 Soils

The proposed change will include the installation of an emergency diesel generator and double-walled diesel storage tank. There are no groundbreaking activities at the WKWD pump site that will result in soils impacts beyond those analyzed in the 1999 CEC Decision and subsequent amendments. The proposed modified Project will continue to comply with all applicable laws, ordinances, regulations, and standards. There will be no impacts to soils from the operation of the proposed modified Project.

2.4.14 Transportation

The proposed change will include the installation of an emergency diesel generator and double-walled diesel storage tank. Construction and installation will be minor. The operation of the modified Project will result in a minor increase of LPGP employees or vehicle trips to the site for monthly maintenance and testing. Therefore, there will be minor impacts to transportation.

2.4.15 Visual Resources

The proposed change will include the installation of an emergency diesel generator and double-walled diesel storage tank in a Conex container. The installation will be screened from public view by the surrounding 7-foot brick wall with two locked chain-link gates for access as described in the project



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change description. The proposed modifications will not result in any visual impacts from construction or operation. Consequently, the proposed change will not cause any visual resources impacts greater than those previously analyzed by the 1999 CEC Decision.

2.4.16 Waste Management

The proposed change will include the installation of an emergency diesel generator and double-walled diesel storage tank. There are no groundbreaking activities at the WKWD pump site. The modified Project will comply with all applicable laws, ordinances, regulations, and standards and will not cause any waste management impacts greater than those previously analyzed by the 1999 CEC Decision.

2.4.17 Water Resources

The LPGP requires approximately 5,500 acre-feet of water annually, which is supplied by the WKWD. The modifications to the Project would include installing a diesel emergency generator with an accompanying double-walled diesel storage tank. The genset will be used to provide electrical power to the existing pumps during grid power loss. Because no increase in water use is proposed, there would be no increase in water demand. Impacts to water resources are not expected and will not cause any water resources impacts that have not been previously analyzed by the 1999 CEC Decision.

2.4.18 Worker Safety and Health

The proposed change will include the installation of an emergency diesel generator and double-walled diesel storage tank. There are no groundbreaking activities at the WKWD pump station, and the change will not create any worker safety and health impacts beyond those analyzed in the 1999 CEC decision. For security the existing site has a 7-foot brick wall with two locked chain-link gates for access. The modified site will have a 24-hour remote accessed security system including a camera, laser barriers, visual light, and audio system which are monitored and alarmed at the main LPGP control room and by an offsite security company. LPGP staff, as they do with other sites in the Project vicinity, will conduct routine maintenance and testing activities in accordance with permit conditions established by the SJVAPCD.

2.4.19 Wildfire

According to CAL FIRE, the LPGP site lies in a moderate fire hazard severity zone within a State Responsibility Area (SRA) (CAL FIRE 2021). SRAs are recognized as areas where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. The proposed modified Project will continue to comply with all applicable laws, ordinances, regulations, and standards. Therefore, the proposed change is not expected to alter the assumptions or conclusions made in the 1999 CEC Decision.



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2.5 COMPLIANCE WITH APPLICABLE LAWS, ORDINANCES, REGULATIONS, AND STANDARDS

The proposed diesel emergency generator and double-walled diesel tank is not expected to affect the Project's compliance with applicable laws, ordinances, regulations, and standards. As referenced in section 2.4.1, an air permit application has been submitted to the SJVAPCD that addresses compliance obligations of all applicable air quality rules and regulations; and a draft ATC has been issued.

To address the regulatory implications of the new double-walled diesel storage tank, a Spill Prevention and Countermeasure Plan (SPCC) will be developed and implemented at the WKWD. To address any new onsite hazardous wastes, the Hazardous Materials Business Plan (HMBP) will be updated.

2.6 IMPACT ON THE PUBLIC

The proposed diesel emergency generator would emit diesel particulate matter (DPM), which is recognized as a toxic air contaminant by the California Air Resources Board (CARB). LPGP will be operating the generator with ultra-low sulfur diesel which will help minimize DPM. Other than emergency standby operation, the generator will only be operated up to 50 hours per year for maintenance and reliability testing purposes.

There are no sensitive receptors within 1,000 feet of the Project site. The nearest residence is approximately 9,050 feet from the site. According to the CARB, DPM concentration dissipates with distance from a source. Therefore, the increase in DPM emissions is not expected to result in a significant impact to public health.

The modified Project will comply with all applicable laws, ordinances, regulations, and standards through compliance with air permit conditions (draft ATC currently issued by SJVAPCD, included as Appendix A), and will not result in any public health impacts beyond those analyzed in the 1999 CEC Decision or subsequent license amendments.

2.7 LIST OF NEARBY PROPERTY OWNERS

A list of property owners adjacent or near the proposed Project is provided under a separate cover.

2.8 EFFECTS ON NEARBY PROPERTY OWNERS, RESIDENTS, AND THE PUBLIC

The proposed diesel emergency generator and double-walled diesel tank effects on nearby property owners, residents, and the public would not differ significantly with the Project as previously certified and amended. The additional emissions increase from the engine is minimal and the associated impacts to the environment are expected to be less than significant as analyzed within the SJVAPCD air permit evaluation.



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2.9 EXEMPTIONS FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

LPGP plans to install an emergency generator and double-walled diesel tank within an existing developed agricultural zoned area. The site is under the control of WKWD. The emergency generator location will be leased to La Paloma to operate as a unique, individual facility. The generator will be classified as an emergency generator and will be limited to under 50 hours of use per year through permitting with the SJVAPCD. The permit to operate will ensure that air quality is not impacted. The nearest existing sensitive receptors (residences) are located 9,050 feet north northeast of the site. The nearest business is located 18,350 feet west northwest of the site.

The site has been previously disturbed and is covered with pea gravel/decomposed granite; therefore, no biological resources will be disturbed from the genset installation. The generator footprint will disturb less than 2,000 square feet of the existing 20,000 square foot site. No extensive grading or trenching will be required to install the skid pad for the location of the generator; therefore, no cultural resources will be impacted.

The generator set will be located within the WKWD facility located near Buttonwillow in Kern County and will be screened from view by the existing 7-foot brick wall with two locked chain-link gates for access. The appearance of the generator set would be typical of current industrial views on the site, thus, no impacts to aesthetics would occur. The site has a 24-hour remote accessed security system including a camera, laser barriers, visual light, and audio system which are monitored and alarmed at the main LPGP control room and by an offsite security company.

Routine inspections and maintenance will require minimal interactions with employees from La Paloma's existing workforce. Regulatory standards require the preparation and implementation of a HMBP and an SPCC that address any potential impacts from upset and storage of fuel for the generator.

Based on the above information, the modified Project would not have the possibility of resulting in an impact under CEQA.

3.0 SUMMARY

As shown in the evaluation above, the proposed Project change will not have a significant effect on the environment (it expected to be exempt from CEQA); it will not cause the Project to fail to comply with any applicable laws, ordinances, regulations, or standards; and it will not require a change to, or deletion of, a condition of certification adopted by the commission in the final decision or subsequent amendments.



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Appendix A

Draft ATC for the Emergency Genset



*San Joaquin Valley
Air Pollution Control District*

AUTHORITY TO CONSTRUCT

ISSUANCE DATE: DRAFT
DRAFT

PERMIT NO: S-9921-1-0

LEGAL OWNER OR OPERATOR: CXA LA PALOMA LLC
MAILING ADDRESS: LA POLOMA PUMPING STATION
BUTTONWILLOW, CA 93206

LOCATION: LA PALOMA PUMP STATION
BUTTONWILLOW, CA 93206

SECTION: 19 **TOWNSHIP:** 29S **RANGE:** 23E

EQUIPMENT DESCRIPTION:

1,829 BHP (INTERMITTENT) CATERPILLAR MODEL C32 TIER 2 CERTIFIED DIESEL-FIRED EMERGENCY STANDBY IC ENGINE POWERING AN ELECTRICAL GENERATOR

CONDITIONS

1. {98} No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
2. {15} No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
3. {14} Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
4. {1898} The exhaust stack shall vent vertically upward. The vertical exhaust flow shall not be impeded by a rain cap (flapper ok), roof overhang, or any other obstruction. [District Rule 4102]
5. {4749} This engine shall be equipped with a non-resettable hour meter with a minimum display capability of 9,999 hours, unless the District determines that a non-resettable hour meter with a different minimum display capability is appropriate in consideration of the historical use of the engine and the owner or operator's compliance history. [District Rule 4702 and 17 CCR 93115]
6. {4258} Only CARB certified diesel fuel containing not more than 0.0015% sulfur by weight is to be used. [District Rules 2201 and 4801, and 17 CCR 93115]
7. Emissions from this IC engine shall not exceed any of the following limits: 3.74 g-NOx/bhp-hr, 0.52 g-CO/bhp-hr, or 0.07 g-VOC/bhp-hr. [District Rule 2201 and 17 CCR 93115]

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (661) 392-5500 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Samir Sheikh, Executive Director / APCO

Brian Clements, Director of Permit Services

S-9921-1-0 : Feb 3 2022 1:33PM -- RAMIREZH : Joint Inspection NOT Required

8. Emissions from this IC engine shall not exceed 0.04 g-PM10/bhp-hr based on USEPA certification using ISO 8178 test procedure. [District Rules 2201 and 4102, and 17 CCR 93115]
9. {4261} This engine shall be operated and maintained in proper operating condition as recommended by the engine manufacturer or emissions control system supplier. [District Rule 4702]
10. {3478} During periods of operation for maintenance, testing, and required regulatory purposes, the permittee shall monitor the operational characteristics of the engine as recommended by the manufacturer or emission control system supplier (for example: check engine fluid levels, battery, cables and connections; change engine oil and filters; replace engine coolant; and/or other operational characteristics as recommended by the manufacturer or supplier). [District Rule 4702]
11. {3807} An emergency situation is an unscheduled electrical power outage caused by sudden and reasonably unforeseen natural disasters or sudden and reasonably unforeseen events beyond the control of the permittee. [District Rule 4702 and 17 CCR 93115]
12. {3808} This engine shall not be used to produce power for the electrical distribution system, as part of a voluntary utility demand reduction program, or for an interruptible power contract. [District Rule 4702 and 17 CCR 93115]
13. {3496} The permittee shall maintain monthly records of emergency and non-emergency operation. Records shall include the number of hours of emergency operation, the date and number of hours of all testing and maintenance operations, the purpose of the operation (for example: load testing, weekly testing, rolling blackout, general area power outage, etc.) and records of operational characteristics monitoring. For units with automated testing systems, the operator may, as an alternative to keeping records of actual operation for testing purposes, maintain a readily accessible written record of the automated testing schedule. [District Rule 4702 and 17 CCR 93115]
14. {4920} This engine shall be operated only for testing and maintenance of the engine, required regulatory purposes, and during emergency situations. Operation of the engine for maintenance, testing, and required regulatory purposes shall not exceed 50 hours per calendar year. [District Rules 2201, 4102, and 4702, and 17 CCR 93115]
15. {4263} The permittee shall maintain monthly records of the type of fuel purchased. [District Rule 4702 and 17 CCR 93115]
16. {3475} All records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rule 4702 and 17 CCR 93115]

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