

DOCKETED

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Project Title:	COMPLIANCE-Luz Solar Electric Generating System Cogeneration AFC (150 MW) Units III-VII.
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Document Title:	Staff Analysis-Boundary Modification
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DATE: May 13, 2022

TO: Interested Parties

FROM: John Heiser, Compliance Project Manager

SUBJECT: Solar Energy Generating System, Units III- VII Kramer Junction (87-AFC-01C)
Staff Analysis of Petition to Amend the Final Commission Decision

On April 12, 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 242636](#)) with the California Energy Commission (CEC) for the Solar Energy Generating System Units III-VII (SEGS III-VII) Kramer Junction. The petition is requesting to remove the SEGS VII area from the SEGS III-VII – Kramer Junction Final Decision (Decision). This petition would modify the site boundary to exclude the area of SEGS VII now that decommissioning activities in this area of the site have been completed. Approval would end the CEC’s jurisdiction over the SEGS VII portion of the site. CEC staff recommends that the CEC approve the petition for post certification project change requesting the removal of the SEGS VII from the CEC’s jurisdiction.

The SEGS III-VII units are 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 decommissioning, closure, and removal of SEGS VII was completed in mid-April 2022. The remaining SEGS VI 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 environment and the project’s compliance with applicable laws, ordinances, regulations, and standards (LORS).

The CEC staff has determined that the proposed project boundary adjustment would not result in any direct physical changes in the environment, or a reasonably

foreseeable indirect physical change in the environment because the project concerns ending the CEC's jurisdiction over the portion of the site which no longer contains a thermal powerplant. In addition to no impacts on the environment, the project would remain in compliance with applicable LORS and 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 CEC staff intends to recommend approval of the petition at the May 24, 2022, CEC Business Meeting.

The [CEC's project webpage](https://www.energy.ca.gov/powerplant/cogeneration/segs-iii-vii-kramer-junction), <https://www.energy.ca.gov/powerplant/cogeneration/segs-iii-vii-kramer-junction> has a link to the petition ([TN 242636](#)), 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 of all parcels within 500 feet of any affected project linears and 1,000 feet of the project 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 project webpage](#), 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 on the analysis before the CEC Business Meeting are asked to submit their comments by May 23, 2022. To use the CEC's electronic commenting feature, go to the CEC's project webpage and click either the "Comment on this Proceeding," or "[Submit e-Comment](#)" link. When your comments are filed, 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 will be added to the facility Docket Log and become publicly accessible on the [CEC's project webpage](#).

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.

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For information on public participation, please contact the CEC's Office of Public Advisor, Energy Equity, and Tribal Affairs at (916) 957-7910 or email at, publicadvisor@energy.ca.gov.

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

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

Petition to Amend Commission Decision EXECUTIVE SUMMARY

John Heiser

INTRODUCTION

On April 12, 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 242636) with the California Energy Commission (CEC) for the Solar Energy Generating System Units III-VII (SEGS III-VII) Kramer Junction. The petition is requesting to remove the SEGS VII 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 VII ending the CEC’s jurisdiction over the SEGS VII portion of the site. CEC 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 VII 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).

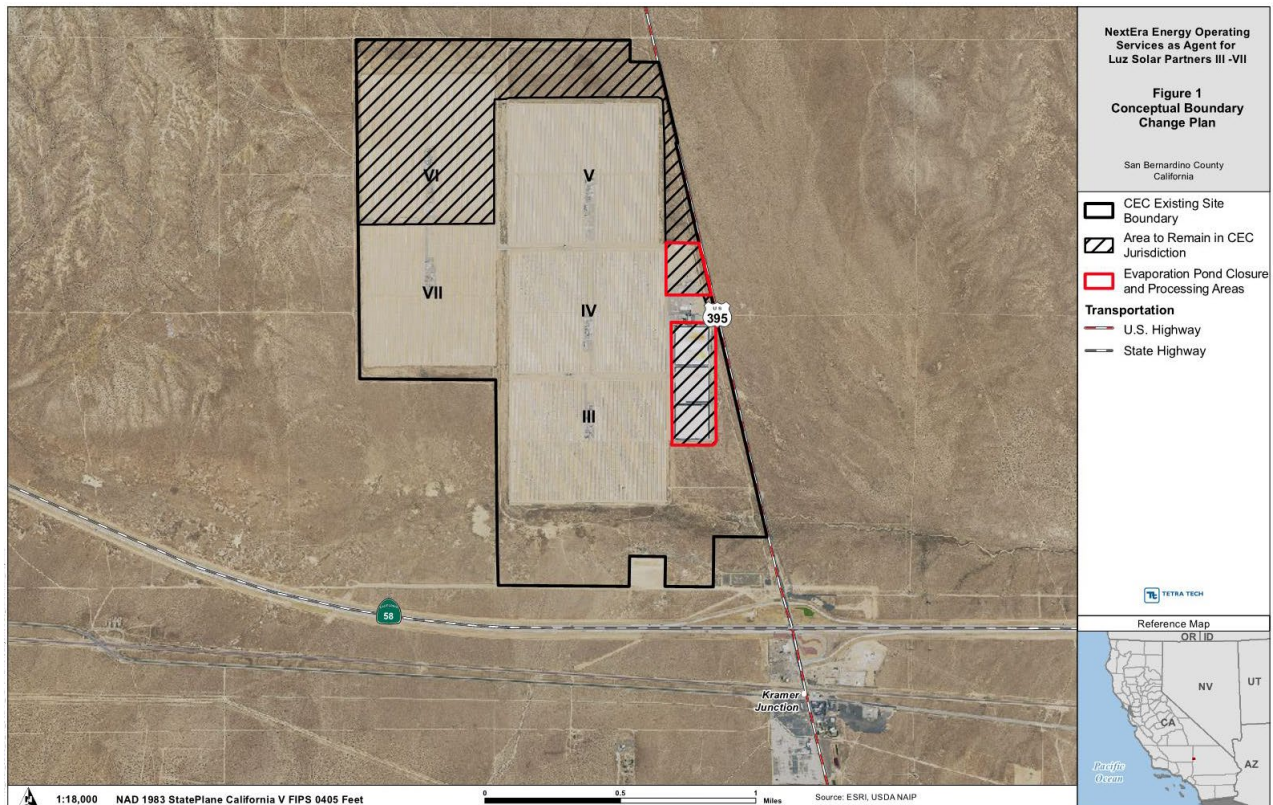
The scope of the analysis conducted by staff under California Code of Regulations, title 20, section 1769 is limited to an evaluation of the incremental impacts, if any, of the proposed changes to the project on the environment, as well as a determination of the consistency of the proposed changes with the applicable LORS. The analysis of the proposed changes must be consistent with the requirements of California Environmental Quality Act Guidelines section 15162, (See Cal. Code Regs., tit. 14, § 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. In this case the boundary adjustment removing SEGS VII from the existing certification and the CEC’s jurisdiction does not result in any direct physical changes in the environment, or a reasonably foreseeable indirect physical change in the environment because the project concerns ending the CEC’s jurisdiction over the portion of the site which no longer contains a thermal powerplant. Therefore, the boundary adjustment would not meet the definition of a project under CEQA. (See Cal. Code Regs., tit. 14, § 15378.) Nevertheless, staff

considered the effect of the boundary change on each of the technical disciplines to confirm no impacts on the environment and consistency with LORS.

PROJECT LOCATION AND DESCRIPTION

The SEGS III-VII units are 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 decommissioning, closure and removal of SEGS VII was completed in mid-April 2022. The SEGS VI decommissioning activities are scheduled to be completed by June of 2022.

Executive Summary Figure 1



Staff has reviewed the post certification project change and concludes that the removal of the SEGS VII 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 Unit VII as shown in **Executive Summary Figure 1**. All decommissioning activities within the areas previously occupied by the SEGS Units III – V and VII 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) project to begin construction pursuant to a permit issued by San Bernardino County while the remaining decommissioning activities for SEGS Unit VI continue to completion. San Bernardino County issued a notice of exemption in conjunction with the permitting of the PV facility. (See http://www.sbcounty.gov/Uploads/LUS/Environmental/NOEs/NOE_PROJ_2021_00019.pdf)

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 VII area from the CEC license since the SEGS III-VII units are currently no longer operational and all decommissioning and closure activities have been completed for SEGS III-V and VII. Additionally, the removal of the SEGS VII 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 the SEGS VII area, from the overall project boundary, thus terminating the CEC jurisdiction over this specific site. The SEGS VI-VII areas were 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 site 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**. The bases for each of staff's conclusions are provided below the table.

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	
Cultural Resources				X	X
Efficiency				X	
Facility Design					
Geological and Paleontological Resources				X	X
Hazardous Materials Management				X	
Land Use				X	X
Noise and Vibration				X	
Public Health				X	X
Reliability					
Socioeconomics				X	
Soil and Water Resources					X
Traffic and Transportation				X	X
Transmission Line Safety and Nuisance				X	X
Transmission System Engineering				x	
Visual Resources				X	X
Waste Management				X	X
Worker Safety and Fire Protection				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 physical change to the environment and thus 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.**

AIR QUALITY AND GREENHOUSE GASES (GHG). The requested project change would modify the site boundary to exclude the area previously occupied by the SEGS Unit VII 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 March MCR submitted on April 5, 2022, 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 Unit VII 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 Unit VII area. All decommissioning activities within this area 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 March MCR submitted on April 5, 2022, and the CEC's Delegate Chief Building Official's (DCBO) Final Inspection Report SEGS Unit VII provided as Appendix A of the petition, satisfied the reporting obligations for the SEGS Unit VII area imposed by biological resources-related conditions of certification. There are no further activities proposed for decommissioning of SEGS Unit VII area that could impact biological resources. The current request to modify the site boundary to exclude the area previously occupied by the SEGS Unit VII 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 Unit VI from the SEGS Unit 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 has developed a SEGS VI & VII and Resurgence Solar I & II Solar Desert Kit Fox Management Plan, which has been provided to the CEC Compliance Project Manager and CDFW for review.

CULTURAL RESOURCES. The cultural resources literature prepared during the licensing and construction phases of the SEGS VI and VII areas indicate that three previous cultural resource studies were conducted on or adjacent to the project site (Lerch 1986; Norris and Carrico 1978; Reynolds et al. 1987).

The SEGS Unit VI contained five previously recorded cultural resources:

1. CA-SBR-5728 (W 4-18.1): A prehistoric lithic scatter with a handstone, millingstone, biface blade, and fire affected rock
2. P209-6 (L. 1.10.2): Stone flake
3. P209-7 (W 1.10.3): Stone knife
4. P209-12 (L 1.10.3): Stone flake
5. P-36-005731 (CA-SBR-5731H): A railroad grade (Randsburg Railway)

The SEGS Unit VII contained five 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. P209-8 (I.27.2): Stone flake
5. P209-9 (I.27.3): Agate flake and chert flake

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.

The project owner reported no inadvertent cultural resource discoveries during decommissioning of the SEGS Unit VI or VII areas.

Removal of the SEGS Unit VII 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 Unit VII 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, five previously recorded cultural resources were identified in SEGS Unit VII. Cultural resources specialists collected all archaeological materials associated with the previously recorded cultural resources and curated them at the San Bernardino County Museum. Furthermore, decommissioning activities in Unit VII are complete. Therefore, removal of Unit VII from the project boundary would not result in impacts on cultural or tribal cultural resources.

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 VII 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 Unit VII area has been verified complete by the Delegate Chief Building Official and the hazardous materials have been removed from this one location. 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 Unit VII area proposed to be removed from the Decision. 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 Unit VII 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 Unit VII 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 Unit VII. 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 March MCR submitted on April 5, 2022, and the DCBO Final Inspection Report SEGS Unit VII provided as Appendix A of the petition 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 VII 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 Unit VII from the Decision would not generate additional trips or vehicle miles travelled associated with the SEGS III - VII. All decommissioning activities within the SEGS Unit VII 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 Unit VII 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 Unit VII 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 VII 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 VII has been verified complete by the Delegate Chief Building Official and there are no longer any demolition activities occurring at this location. Therefore, the change in the project boundary would have no impact on worker health and safety.

CalEnviroScreen

Staff reviewed CalEnviroScreen 4.0 data to determine whether the United States census tract where the SEGS III-VII are located (6071011600) is identified as a disadvantaged community. This science-based mapping tool is used by the California Environmental Protection Agency (CalEPA) to identify disadvantaged communities based on geographic, socioeconomic, public health, and environmental hazard criteria pursuant to Health and Safety Code section 39711 as enacted by Senate Bill 535 (De León, Chapter 830, Statutes of 2012). The CalEnviroScreen 4.0 overall percentile score for this census tract is 57 and, thus, is not identified as a disadvantaged community¹.

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

¹ Source: CalEPA Proposed SB 535 Disadvantaged Communities: October 2021
<https://calepa.ca.gov/envjustice/ghginvest/>

the boundaries of the school district are in relation to the six-mile radius around the SEGS III-VII site.

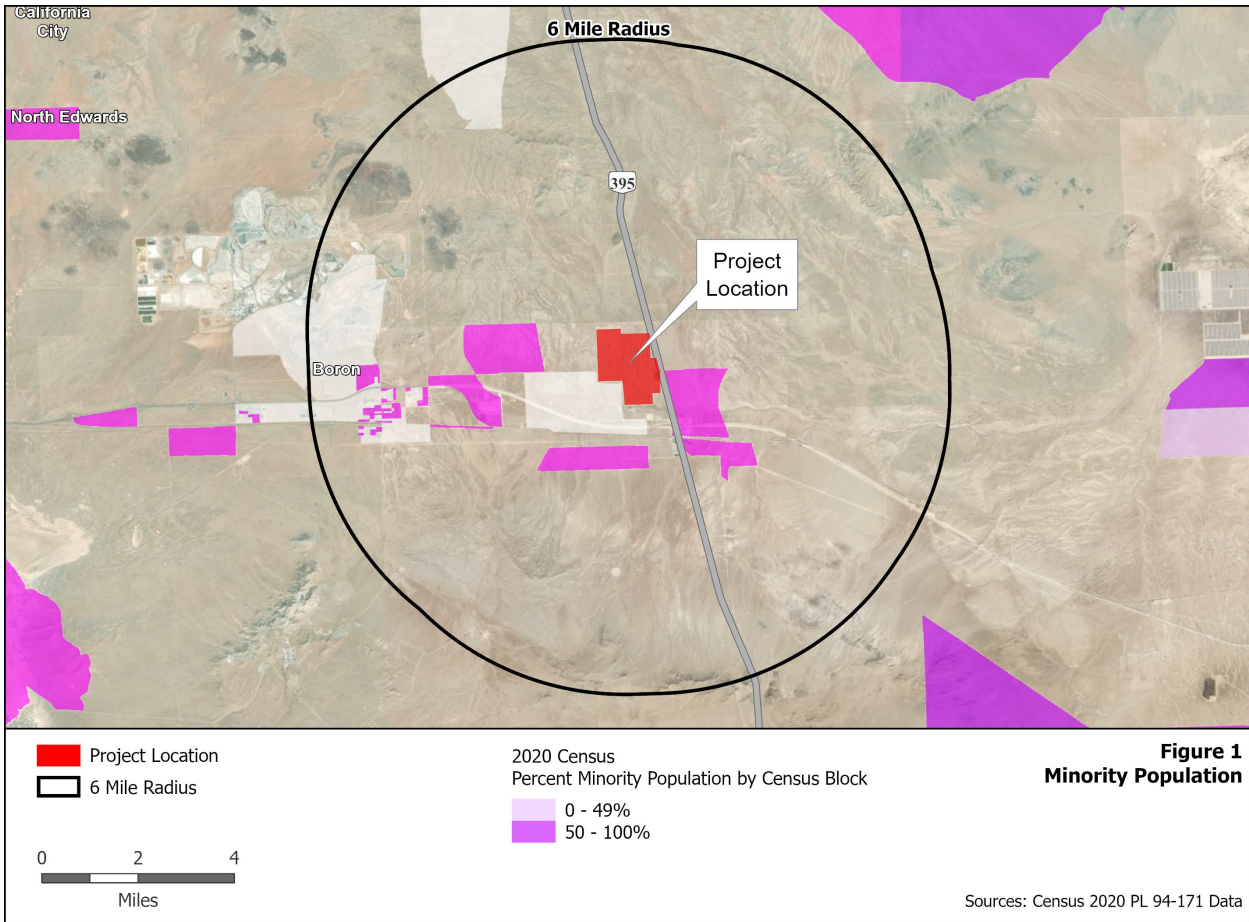
**Environmental Justice Table 1
Low Income Data within the Project Area**

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%

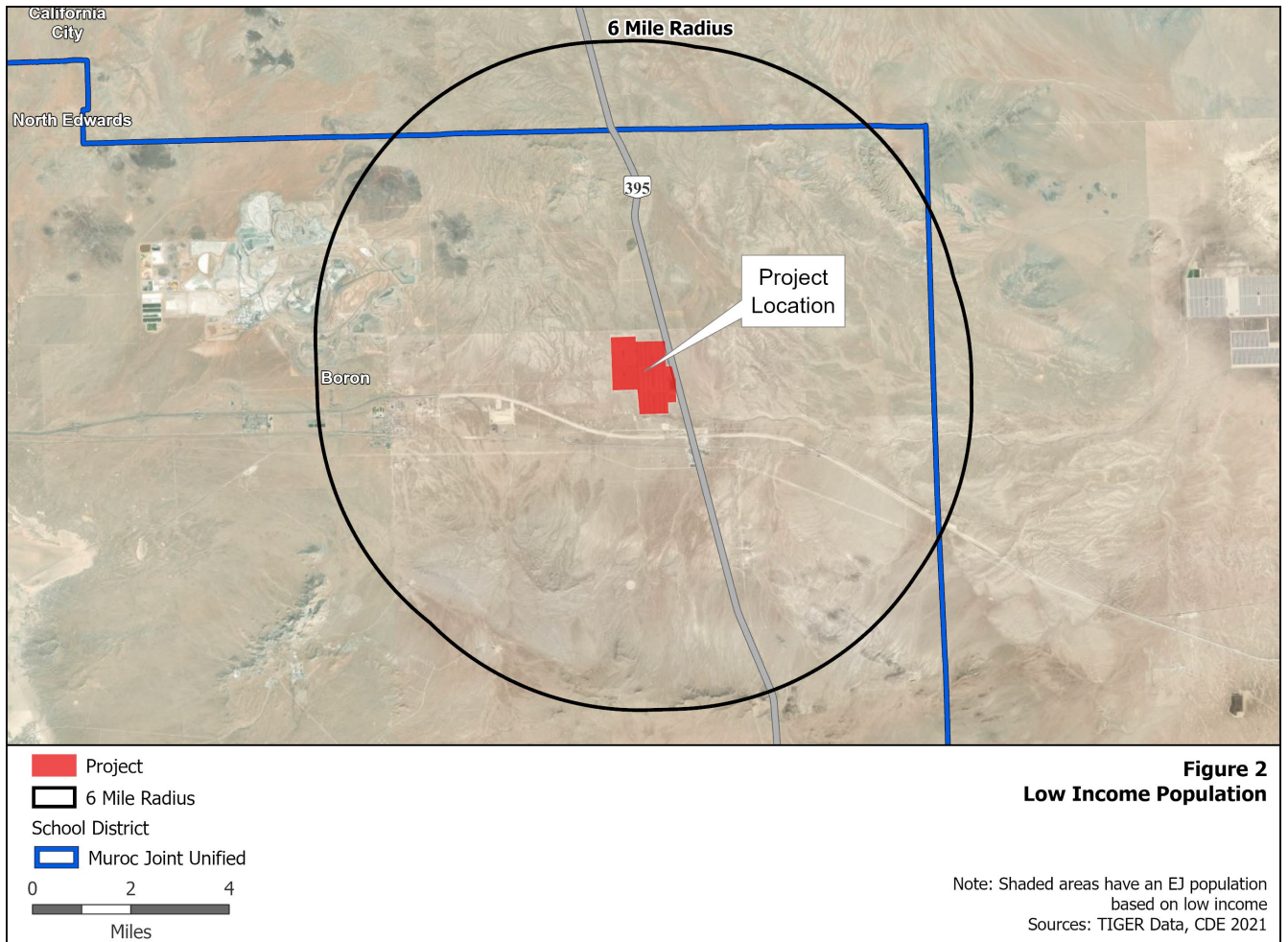
Source: CDE 2021. California Department of Education, DataQuest, Free or Reduced-Price Meals, District level data for the year 2020-2021, <<http://dq.cde.ca.gov/dataquest/>>.

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



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 VII has been completed consistent with the approved decommissioning plan.
- (ii) There is no possibility that the boundary adjustment will have a physical effect on the environment and no impacts were identified in any technical area.
- (iii) The boundary adjustment and termination of CEC jurisdiction 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

Jennings et al. 1962—Charles W. Jennings, John L. Burnett, and Bennie W. Troxel, *Geologic Map of California: Trona Sheet*. Department of Conservation, The Resources Agency. 1962.

Lerch 1986—Michael K. Lerch, *Cultural Resources Assessment of 160 Acres near Kramer Junction, San Bernardino County, California*. Prepared for Luz Engineering Corporation, Los Angeles. Prepared by Michael K. Lerch & Associates, Riverside, CA. August 1986.

Norris and Carrico 1978—Frank Norris and Richard L. Carrico, *History of Land Use in the California Desert Conservation Area*. Prepared for Bureau of Land Management, U.S. Department of the Interior, Riverside, CA. Prepared by WESTEC Services, Inc., San Diego, CA. August 1978.

Reynolds et al. 1987—Robert E. Reynolds, Robert M. Yohe II, Mark Q. Sutton, and Karen K. Swope, *Cultural Resources Mitigation and Salvage, Luz Solar Electric Generating Stations, Kramer Junction, San Bernardino County, California*. Confidential report prepared for Luz Engineering Corporation, Los Angeles. Prepared by San Bernardino County Museum, Redlands, CA. October 1987.

Rogers 1967—Thomas H. Rogers, *Geologic Map of California: San Bernardino Sheet*. Department of Conservation, The Resources Agency. 1967.