

**DOCKETED**

<b>Docket Number:</b>	13-AFC-01C
<b>Project Title:</b>	Alamitos Energy Center - Compliance
<b>TN #:</b>	249691
<b>Document Title:</b>	Order Approving Post Certification Petition To Amend
<b>Description:</b>	Order No: 23-0412-03g
<b>Filer:</b>	Liza Lopez
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
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STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**IN THE MATTER OF:**

**ALAMITOS ENERGY CENTER**

**Docket No.: 13-AFC-01C**

**ORDER APPROVING POST  
CERTIFICATION PETITION TO  
AMEND**

**I. BACKGROUND**

On August 27, 2022, AES Alamos Energy, LLC, the project owner, filed a post certification petition with the California Energy Commission (CEC) requesting to amend the Alamos Energy Center (AEC) Final Commission Decision (Decision).

The AEC was certified by the CEC in April 2017 as a 1,040-megawatt (MW) power plant project, with a 640 MW combined-cycle, natural gas-fired power block, and two simple cycle gas-fired turbines that would produce 400 MW. To date, the simple-cycle turbines have not been built. The 640 MW combined-cycle portion of the project began operation in February 2020. The facility is located at 690 North Studebaker Road in the City of Long Beach, Los Angeles County.

The project owner is seeking approval to install two identical 1,112 brake horsepower emergency diesel-fired internal combustion engine (ICE) generators. The primary purpose of the generators is to provide power supply to critical plant equipment in the combined cycle gas turbine (CCGT) power block during the gas turbine shutdown periods in the event of an electrical emergency. Ten new Air Quality Conditions of Certification are being added to the AFC License for consistency with the new Authority to Construct permit issued by the South Coast Air Quality Management District (SCAQMD), to make the effect on the environment less than significant.

California Code of Regulations, title 20, section 1769 requires a project owner to petition the CEC for the approval of any change it proposes to the project design, operation, or performance requirements of a certified facility.

Pursuant to California Code of Regulations, title 20, section 1769(a)(3), staff has reviewed the petition and determined the proposed change does not meet the criteria for staff approval. Consistent with California Code of Regulations, title 20, section 1769(a)(4), staff is bringing this petition to the Commission for approval.

California Code of Regulations, title 20, section 1769(a)(4)(A) requires the CEC to issue an order approving, rejecting, or modifying the petition or assign the matter for further proceedings before the CEC or an assigned committee or hearing officer and, additionally if applicable, requires the CEC to approve the proposed change only if it can make the findings specified in California Code of Regulations, title 20, section 1748(b).

Public Resources Code section 21166 specifies that a subsequent or supplemental environmental impact report (EIR) is not required unless one or more of the following occur: (a) substantial changes are proposed in the project which will require major revisions of the EIR; (b) substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the EIR; (c) new information, which was not known and could not have been known at the time the IER was certified as complete, becomes available.

Additionally, California Code of Regulations, title 14, section 15162(a) specifies that, when an environmental impact report (EIR) has been certified or a negative declaration adopted for a project, a subsequent EIR does not need to be prepared unless the agency determines one or more of the following: (1) substantial changes are proposed that will require major revisions of the EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions to the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; or (3) new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted shows specified significant effects or mitigation measures.

## **II. STAFF RECOMMENDATION**

On March 7, 2023, staff filed their review of the petition and concluded that approving the petition to amend is consistent with California Code of Regulations, title 20, section 1769(a)(4). Staff recommends adding new Conditions of Certification **AQ-EG1** through **AQ-EG10** for consistency with the new Authority to Construct permit issued by the SCAQMD to make the effect on the environment less than significant. With the inclusion of staff's recommended changes to the project's conditions of certification, the proposed change (1) will not have a significant impact on the environment or is exempt from the California Environmental Quality Act (CEQA), and (2) will not cause the project to fail to comply with any applicable laws, ordinances, regulations, and standards. Additionally, staff determined the findings required to be made by the CEC pursuant to California Code of Regulations, title 20, section 1769(a)(4)(A), and as specified in California Code of Regulations, title 20, section 1748(b), do not apply.

Lastly, staff concludes the proposed change does not meet the criteria requiring the production of subsequent or supplement EIR review, consistent with Public Resources Code section 21166 and California Code of Regulations, title 14, section 15162.

### **III. ENERGY COMMISSION FINDINGS**

Pursuant to California Code of Regulations, title 20, section 1769(a)(4), the CEC concurs with staff's recommendation and finds that the petition with the inclusions of staff's recommended changes to the project's conditions of certification for Air Quality (1) will not have a significant impact on the environment or is exempt from the California Environmental Quality Act (CEQA) and (2) will not cause the project to fail to comply with any applicable laws, ordinances, regulations, and standards. The CEC also concurs with staff's recommendation that the findings required to be made by the CEC pursuant to California Code of Regulations, title 20, section 1769(a)(4)(A), and as specified in California Code of Regulations, title 20, section 1748(b), do not apply.

Lastly, the CEC concurs with staff and finds that the proposed change does not meet the criteria requiring the production of subsequent or supplemental review consistent with Public Resources Code section 21166 and California Code of Regulations, title 14, section 15162.

### **IV. CONCLUSION AND ORDER**

The CEC hereby adopts staff's recommendation, including the new conditions of certification as published on March 7, 2023, and grants the petition allowing for installation of two identical 1,112 brake horsepower emergency diesel-fired internal combustion engine (ICE) generators to provide power supply to critical plant equipment in the CCGT power block during the gas turbine shutdown periods in the event of an electrical emergency.

**IT IS SO ORDERED.**

#### **CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on April 12, 2023.

AYE: Hochschild, Gallardo, Monahan  
NAY: NONE  
ABSENT: Gunda, McAllister  
ABSTAIN: NONE

Dated: April 14, 2023

**SIGNED BY:**

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Liza Lopez  
Secretariat