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Elk Hills Power

Annual Compliance Report for 2023

Submitted to:

California Energy Commission



2023 - Annual Compliance Report

Table of Contents

| | |
|------------------------------|---|
| BIO-2 | Submit summaries of written Biological Resources records |
| HAZ-1 | Provide a list of hazardous materials on site in reportable quantities |
| S&W-4 | Summarize the water use of the project for the previous year |
| S&W-5 | Submit proof of annual payment for funding of water conservation |
| TRANS-3 | Copies of permits and licenses of transporters of hazardous materials |
| TRANS-9 | Summary of action taken to comply with Safety Management Plan for ammonia |
| VIS-1 | Provide a status report for maintenance of color treatment |
| WASTE-3 | Document waste management methods used during the year |
| MATRIX | Annual CEC Compliance Matrix |
| Attachment 1 | Summary of operation status |
| Attachment 2 | List of Missed Submittal deadline |
| Attachment 3 | Listing of Filings made to, or permits Issued by, other government agencies |
| Attachment 4 | Projection of Project compliance activities scheduled during the year |
| Attachment 5 | Listing of Year's addition to the on-site compliance file |
| Attachment 6 | Evaluation of the on-site contingency plan for unexpected facility closure |

2023 - Annual Compliance Report

BIO-2 The CPM approved Designated Biologist shall perform the following during project construction and operation:

1. Advise the project owners Construction Manager on the implementation of the Biological Resource Conditions of Certification;
2. Supervise or conduct mitigation, monitoring and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as, wetlands and special status species; and
3. Notify the project owner and the CPM of any non-compliance with any Biological Resources Condition of Certification.

Verification: During project construction, the Designated Biologist shall maintain written records of the tasks described above, and summaries of these records shall be submitted along with the Monthly Compliance Reports to the CPM. During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report.

Status: The last of the three-project construction post reclamation and revegetation annual record summaries was sent to CEC on December 16, 2005 as part of the Annual Biological Compliance Report, BRMIMP Section 8.5.

COMPLETED REQUIREMENT

In 2023 project operation, there were no activities requiring biological monitoring as specified in Section 7 of the BRMIMP.

2023 - Annual Compliance Report

HAZ-1 Unless approved in advance by the CPM, other than those identified in Appendix B, the project owner shall not use any hazardous material in reportable quantities--as specified in Title 40, Code Of Federal Regulations, Part 355, Subpart J, section 355.50. The proposed project shall not use anhydrous ammonia, but instead shall use aqueous ammonia with a concentration of less than 20%.

Verification: The project owner shall provide to the CPM, in the Annual Compliance Report, a list of hazardous materials contained at the facility in reportable quantities.

Status: Record summaries are provided.



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ts.pdf

2023 - Annual Compliance Report

SOIL&WATER-4: The Project shall employ water conservation measures to limit water use to a maximum of 3,000 acre-feet per year.

Verification: The project owner shall summarize the water use of the project during the previous year in the Annual Compliance Report. Records substantiating such use shall be provided to the CPM within ten (10) days of a request by the CPM.

Status: Record summaries are provided below and on the quarterly report.

Total Water Usage at the end of 2022: 3114.8 Acre-Ft. WKWD Meter

| | WKWD Invoice |
|------|-------------------------|
| 2023 | acre-ft |
| Jan | 240.2 |
| Feb | 222.0 |
| Mar | 270.6 |
| Apr | 183.0 |
| May | 352.1 |
| Jun | 225.7 |
| Jul | 323.8 |
| Aug | 327.8 |
| Sep | 307.9 |
| Oct | 303.9 |
| Nov | 183.4 |
| Dec | 277.2 |

- The water usage is above the 3,000 Acre-Ft for this reporting year 2023. The increased power demand by the State caused a high usage of water by the facility. During the month of extreme heat events as recognized by the CEC (July-October 2023), the facility is required to run at peak load which contributed to increase water usage.
- Elk Hills Power funding which is in our CEC condition SOIL&WATER-5 to the TNC resulted in acquiring 1,386.25 acre-feet of water for conservation; that is 386.25 Acre-feet above the required 1,000 Acre-Feet for water conservation.

2023 - Annual Compliance Report

SOIL&WATER-5: The Project shall fund the acquisition of water or water rights for the purpose of water conservation or environmental enhancement. Such funding shall result in at least 1000-acre feet per year of water conservation or environmental enhancement over the life of the Project, except that such funding shall total no more than an annual payment of \$100,000 with 3.5 percent per year added thereafter. The first payment shall be made when commercial operation begins, and a payment shall be made each year thereafter for the life of the Project. The measure(s) will be selected by mutual agreement of the Developer and CURE. Examples of such measures include, but are not limited to, the following:

- a. Contribution to the CalFed Environmental Water account, which is the option preferred by the Parties;
- b. Acquisition of water from Berenda Mesa Water District that could be applied to environmental enhancement purposes in the Delta or otherwise managed to promote water conservation.

Verification: Within sixty (60) days after commercial operation of the project and thereafter in the Annual Compliance Report, the project owner shall submit evidence of payment as required by the above condition for water conservation or environmental enhancement to the CalFed Water Account, or to such other recipient as may be mutually agreed upon by the project owner and California Unions for Reliable Energy (CURE). Project owner shall also provide a letter from CURE identifying the mutually agreed upon recipient.

Status: Record summaries are provided.



FE_EHP TNC
2023-2024 agreemer



TNC_EHP_Summary
Report_2022-2023.p

2023 - Annual Compliance Report

TRANS-1 The project owner shall comply with Caltrans and Kern County limitations on vehicle sizes and weights. In addition, the project owner or its contractor shall obtain necessary transportation permits from Caltrans and all relevant jurisdictions for roadway use.

Verification: In the Monthly Compliance Reports during construction, and in the Annual Compliance Reports during operation, the project owner shall submit copies of any oversize and overweight transportation permits received during that reporting period. In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six months after receipt of these permits.

- **In 2023 project operation, there were no activities requiring oversize and overweight transportation permits.**

2023 - Annual Compliance Report

TRANS-2 The project owner or its contractor shall comply with Caltrans and Kern County limitations for encroachment into public rights-of-way and shall obtain necessary encroachment permits from Caltrans and all relevant jurisdictions.

Verification: In Monthly Compliance Reports during construction, and in the Annual Compliance Reports during operation, the project owner shall submit copies of any encroachment permits received during the reporting period. In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six (6) months after receipt of these permits.

- **In 2023 project operation, there were no activities requiring encroachment permits.**

2023 - Annual Compliance Report

TRANS-3 The project owner shall ensure that all federal and state regulations for the transport of hazardous materials are observed during both construction and operation of the facility.

Verification: The project owner shall provide, in their Monthly Compliance Reports during construction and in the Annual Compliance Reports during operation, to the CPM, copies of all permits and licenses of the haulers contracted to transport hazardous substances.

Status: The copies of permits and licenses of haulers contracted to transport hazardous substances is provided below.



AirGas.pdf



Argo.pdf



Baker Petrolite.pdf



Heritage Crystal
Clean.pdf



Linde.pdf



Nalco.pdf

2023 - Annual Compliance Report

TRANS-9 The project owner shall develop and implement a safety management plan for delivery of ammonia. The plan shall include procedures, protective equipment requirements, training, a checklist, and the specification of delivery routes.

Verification: 30 days prior to the first delivery of ammonia to the project site, the project owner shall submit an ammonia transportation safety management plan to the CPM for review and approval. The project owner shall include in the monthly compliance report during construction and in the annual compliance reports during operation, a summary of actions taken in compliance with the safety management plan.

Status: The safety management plan for the Ammonia delivery has been implemented and EHP operators received the material handling training.

Training records for actions taken in compliance with safety management plan for ammonia delivery is provided along with a summary of ammonia deliveries to EHP.



2023 Ammonia
Offloading.pdf



CRC North
Ammonia Training A

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VIS-1 Prior to the start of commercial operation, the project owner shall treat the project structures, buildings, towers, substation, tanks and transmission poles visible to the public in a non-reflective color to blend with the surroundings. The project owner shall treat the cooling towers with a heat-resistant color that minimizes contrast and harmonizes with the surrounding environment.

Protocol: The project owner shall submit a treatment plan for the project to the California Energy Commission Compliance Project Manager (CPM) for review and approval. The treatment plan shall include:

1. Specification, and 11 x 17 color simulations, of the treatment proposed for use on project structures, including structures treated during manufacture.
2. A detailed schedule for completion of the treatment; and, a procedure to ensure proper treatment maintenance for the life of the project.

If the CPM notifies the project owner that revisions of the plan are needed before the CPM will approve the plan, the project owner shall submit to the CPM a revised plan.

After approval of the plan by the CPM, the project owner shall implement the plan according to the schedule and shall ensure that the treatment is properly maintained for the life of the project.

For any structures that are treated during manufacture, the project owner shall not specify the treatment of such structures to the vendors until the project owner receives notification of approval of the treatment plan by the CPM.

The project owner shall not perform the final treatment on any structures until the project owner receives notification of approval of the treatment plan from the CPM.

The project owner shall notify the CPM within one week after all pre-colored structures have been erected and all structures to be treated in the field have been treated and the structures are ready for inspection.

Verification: Not later than 30 days prior to ordering the first structures that are color treated during manufacture, the project owner shall submit its proposed plan to the CPM for review and approval. If the CPM notifies the project owner that any revisions of the plan are needed before the CPM will approve the plan, within 30 days of receiving that notification, the project owner shall submit to the CPM a revised plan.

Verification: Not less than 30 days prior to the start of commercial operation, the project owner shall notify the CPM that all structures treated during manufacture and all structures treated in the field are ready for inspection.

2023 - Annual Compliance Report

The project owner shall provide a status report regarding treatment maintenance in the Annual Compliance Report.

Status: The color treatment maintenance is on the “as-needed” basis. A visual inspection of other main structure has been performed and the plant is satisfactory. No color treatment performed for 2023.



Elk Hills Power
Facility 2024.pdf

2023 - Annual Compliance Report

WASTE-3 Prior to the start of both construction and operation, the project owner shall prepare and submit to the CPM, for review and comment, a waste management plan for all wastes generated during construction and operation of the facility, respectively.

The plans shall contain, at a minimum, the following:

- A description of all waste streams, including projections of frequency, amounts generated and hazard classifications,
- Methods of managing each waste, including treatment methods and companies contracted with for treatment services,
- Waste testing methods to assure correct classification, methods of transportation, disposal requirements and sites, and
- Recycling and waste minimization/reduction plans.

Verification: No less than sixty (60) days prior to the start of construction, the project owner shall submit the construction waste management plan to the CPM for review. The operation waste management plan shall be submitted no less than 60 days prior to the start of project operation. The project owner shall submit any required revisions within thirty (30) days of notification by the CPM (or mutually agreed upon date). In the Annual Compliance Reports, the project owner shall document the actual waste management methods used during the year compared to planned management methods.

Status: Record summaries are provided.



Waste Spreadsheet
2023.pdf

The 2023 waste generation is 83.8 tons same level of activity from previous year. Major waste disposal is from office waste.

2023 - Annual Compliance Report

ANNUAL CEC COMPLIANCE MATRIX



Annual Compliance
Matrix.pdf

2023 - Annual Compliance Report

ATTACHMENT 1 – Summary of Operation Status Per CEC Annual Compliance Reporting Requirement Item 2 page 31.

- A summary of the current project operating status and an explanation of any significant changes to facility operations during the year (e.g., total hours of operation, scheduled and unscheduled maintenance and any major repairs).



EHP 2023 Monthly
Summary.pdf

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ATTACHMENT 2 – List of Missed Submittal Deadlines

None for 2023

2023 - Annual Compliance Report

ATTACHMENT 3 – Listing of Filings made to, or permit issued by, other government agencies.



EHPP
Environmental and F

2023 - Annual Compliance Report

ATTACHMENT 4 – Projection of project compliance activities scheduled for year 2024

Compliance Activities

Air (SJVAPCD)

Relative Accuracy Test Audit (November 2024)

Annual Compliance Testing (November 2024)

Injection Well (EPA)

Mechanical Integrity Testing (September 2023)

Fall-Off Testing (September 2023)

Green House Gas

ARB EGGRT Green House Gas Emission Reporting (4/10/2024)

EPA EGGRT Green House Gas Emission Reporting (3/30/2024)

2023 - Annual Compliance Report

ATTACHMENT 5 – Listing of Year’s addition to the on-site compliance file

None

2023 - Annual Compliance Report

ATTACHMENT 6 – Evaluation of the on-site contingency plan for unexpected facility closure

The on-site contingency plan is reviewed, no further addition at this time.

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