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Hydrogen Energy California, LLC
Marisa Mascaro
Senior Environmental Project Manager
SCS Energy LLC
30 Monument Square, Suite 235
Concord, MA 01742

November 19, 2013

Regarding: **HYDROGEN ENERGY CALIFORNIA PROJECT (08-AFC-8A), Staff's Data Requests, A218 through A253**

Dear Ms. Mascaro,

Pursuant to Title 20, California Code of Regulations, section 1716, the California Energy Commission staff requests the information specified in the enclosed data requests related to the Wasco Coal Terminal Supplemental Environmental Analysis (TN 200797). The information and clarification requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts associated with the HECA facility and operations, 4) assess whether the facilities will be operated in a safe, efficient and reliable manner, and 5) assess potential mitigation measures.

These data requests, numbered A218 through A253, are being made in the technical areas of Air Quality, Greenhouse Gases, Socioeconomics, Cultural Resources, Hazardous Materials Management, Worker Safety and Fire Protection, and Public Health. Written responses to the enclosed data requests are due to the Energy Commission staff on or before December 20, 2013.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice to the Committee and to me within 20 days of receipt of these requests. The notification must contain the reasons for the inability to provide the information or the grounds for any objections (see Title 20, California Code of Regulations, section 1716 (f)).

If you have any questions regarding the enclosed information requests, please call me at (916) 653-8236 or email me at John.Heiser@energy.ca.gov.

Sincerely,


for John Heiser, AICP
Siting Project Manager

Enclosure (Data Request Packet)
cc: Docket (08-AFC-8A)
POS List

**HYDROGEN ENERGY CALIFORNIA
(08-AFC-8A)**

**Energy Commission Staff's Wasco Coal Terminal Supplemental
Environmental Analysis Data Requests A218 - A253**

November 19, 2013

Technical Area: Air Quality/Greenhouse Gases
Author: William Walters
Nancy Fletcher

BACKGROUND:

Staff's California Environmental Quality Act (CEQA) review of the Hydrogen Energy California (HECA) project and the potential environmental impacts of receiving coal for the project from Savage's Wasco Coal Terminal, requires additional specific information from Savage Coal to understand the Conditional Use Permit (CUP) (CUP 489/87, Resolution No. 87-11) modification request. Staff needs to understand all of the CUP conditions that Savage Coal will request to be modified, as well as other conditions that need to be modified to address changes in regulations or standard nomenclature (such as KCAPCD is now SJVAPCD) (Kern County Air Pollution Control District is now San Joaquin Valley Air Pollution Control District) or the effects of the HECA project on the Wasco Coal Terminal operation (such as changes in the conditions covering acceptable truck routes). While certain CUP conditions have been addressed in the Wasco Coal Terminal Supplemental Environmental Analysis (SEA) (TN 200797), such as CUP condition 86, the specific condition text edit requests for the other CUP conditions have not been provided. Staff needs to understand the entirety of the CUP modification request to complete our CEQA evaluation.

DATA REQUEST

A218. Please provide an underline/strikeout version of the current CUP conditions that shows all of the requested modifications to those conditions with new text underlined and deleted text in strike out.

BACKGROUND:

Staff needs to clarify operational characteristics of the coal terminal that were not specifically addressed in the Wasco Coal Terminal Supplemental Environmental Analysis (SEA).

DATA REQUESTS

A219. The SEA indicates that currently 80 railcars take 32 hours to process and that 111 HECA railcars would take 35 hours. Why is the per railcar average unloading time assumed to be reduced from the current 24 minutes per railcar to 18.9 minutes per railcar, an over twenty percent reduction?

A220. Page 2-4 of the SEA notes that the route may have to go through the city of Wasco depending on the High Speed Rail (HSR) project. There are several restrictions regarding travel routes in the CUP conditions, so does the CUP actually allow the travel route indicated on page 2-4? What additional requests for CUP condition changes will be made for the truck travel route with or without the HSR project, or otherwise?

- A221. The truck trip requirements listed in the SEA regarding CUP condition changes do not match the assumptions provided by the applicant. Specifically, the average daily number of trucks listed by the applicant based on their average and maximum coal trucking throughput estimates, correcting for a larger load of 27 tons/truck for 4,580 tons/day of coal (333 days per year transporting), would be 170 truckloads per day, while the applicant-stipulated maximum coal trucking amount of 6,500 tons/day would require 241 truckloads per day. Please clarify this discrepancy.
- A222. It is unclear if the HECA facility, given its noted 333 days per year operating schedule, would have staff available to receive coal shipments 365 days per year. Also, given the higher costs to operate 365 days per year, weekend and holiday labor rates, is a 365 day/year schedule as noted in the SEA actually reasonable?
- A223. A few questions arise given the average trucking hourly volumes of 7 to 8 trucks per hour noted in the SEA and the maximum loading potential of 9 trucks per hour (6.66 minutes per truck) noted in the SEA.
- What is the real in practice daily and hourly averaged maximum for truck loading?
 - How would the facility meet the HECA noted daily average and maximum throughput obligations without expansion of the truck loading facilities?
 - At 6.66 minutes per truck and 20 hours per day, we calculate a maximum daily truck loading limitation of 180.2, or 180 trucks $([20 \times 60]/6.66)$. This conflicts with the 182 trucks per day value listed in the SEA. Please confirm the maximum daily truck throughput value based on the answer to subpart a above.
- A224. What is the empty truck & trailer combined weight? Please clarify if the empty truck and trailer combination is less than 13 tons.

BACKGROUND:

Staff needs clarification on specific technical issues within the SEA, such as information noted to be provided that doesn't appear to exist in the SEA, as well as issues regarding the air quality calculations within the SEA.

DATA REQUESTS

- A225. It is noted on page 3-3 that the AERMOD air dispersion modeling output files are provided in Appendix A, but we cannot find any AERMOD output files within the 6 page Appendix A, only a summary of the modeling results. Please provide the noted AERMOD output files.
- A226. An *incorrect* EMFAC2011 truck category was used in the SEA emissions calculations. The calculations used the "T7 public"; however, the Wasco Coal

Terminal is not a public agency, so the “T7 Tractor” (or maybe “T7 Single”) category should have been used. Please determine if correcting the truck category would create a significant difference in the truck emissions presented in the SEA.

- A227. It appears that the onsite truck travel does not include road dust emissions, which due to likely dusty conditions onsite would be higher than typical paved road dust emissions. Please calculate and add the road dust emissions to the emissions totals.

BACKGROUND:

Staff needs written clarification of information requests previously provided to Savage, some of which were verbally responded to in the PSA Workshop, that were not formally addressed in the Wasco Coal Terminal Supplemental Environmental Analysis (SEA).

DATA REQUESTS

- A228. Given the round trip distance, CUP condition route limitations, and associated round trip time in route to/from the HECA facility:
- a. How many total coal delivery trucks (trucks not trips) would need to be dedicated to this project.
 - b. How many coal delivery trucks does the Wasco Coal Terminal currently have dedicated to the terminal?
- A229. What is the loss in total throughput capacity due to complying with the CUP conditions, such as including reducing trips during school bus active periods?
- A230. Outside of the CUP and air quality permit conditions, are there any other laws, regulations, etc. that limit throughput or hours of operation. Such as, are there any limits on overnight operations to meet county or local noise regulations?
- A240. Where are the full and empty railcars stored, as it doesn’t appear that there is enough siding track adjacent to the unloading site to hold a full 100-plus railcar unit train? Also, describe any changes to the track siding availability if the high speed rail project is built.

BACKGROUND:

Staff has proposed conditions of certification related to rail and trucking operations, and may advocate changes to those conditions to ensure that the mitigation levels are adequate to protect public health regardless of the coal-receiving site. These conditions include requirements for:

DATA REQUESTS

A241. Describe the onsite rail operations to meet Tier 4 engine emission standards for the switching locomotive (assuming Tier 4 is available at the time the project needs to acquire the switching locomotive).

A242. Staff has proposed a condition of certification that requires that the applicant contract with haulers that only use trucks meeting 2010 model year emissions standards. This condition would apply to the Savage trucks.

Staff needs Savage Coal to provide comments on any technical feasibility issues they would have, not financial issues, to comply with such conditions.

DATA REQUEST

A243. Please identify technical feasibility issues related to complying with staff's recommended Condition of Certification AQ-SC7 for haul trucks and staff's Condition of Certification AQ-SC12 if revised to require coal rail receiving onsite or offsite to use switch locomotives that comply with Tier 4 emissions standards.

Technical Area: Socioeconomics
Author: Lisa Worrall

BACKGROUND

Staff has questions about the additional operational staff that would need to be employed at the Wasco Coal Terminal to serve HECA's coal needs under the non-railroad spur alternative (coal trucking).

DATA REQUESTS

A244. Page 2-3 of the Wasco Coal Terminal Supplemental Environmental Analysis (SEA) (TN 200797), states that the number of operations employees would increase from four (as of 2012) to 55 to 60 to service the HECA project. What trade types and how many of each trade type would need to be employed at the Savage Services Corporation coal transloading facility to serve the HECA project?

- a. If any skilled trades would be employed, please note the trades and any clarifying information that can help staff match the trade type with available labor, such as those tracked by the Employment Development Department using the Bureau of Labor Statistics Standard Occupation Classification codes (SOC).
- b. If non-skilled trades would be employed, please provide at least a general job type and number of employees by job type.

A245. Page 3-11 of the SEA states that the finding from the HECA/OEHI PSA/DEIS determined no substantial direct, indirect, or cumulative adverse effects on project area housing, schools, law enforcement services, and parks. Then the SEA continues by saying that the findings from the HECA/OEHI PSA/DEIS were further “tested” in the immediate vicinity of the Wasco Coal Terminal from an increase in operations to full capacity. Staff would like to know more about the increase in operations to full capacity, specifically, when and for how long were operations increased to full capacity? Also, historically, has the Wasco Coal Terminal operated at full capacity, and if so, when did it operate at full capacity (at least the most recent case) and for how long was this operation sustained?

Technical Area: Cultural Resources
Author: Melissa Mourkas
Elizabeth A. Bagwell
Gabriel Roark

BACKGROUND

Socioeconomics Figure 3 (attached) identifies what is presumed to be the most likely truck transportation route for the HECA project. This figure depicts a truck route leaving Wasco at the Savage Coal facility and travelling southbound on State Highway 43 to Stockdale Highway. Staff has determined through preliminary research that there are several built environment historic resources along State Highway 43 and in downtown Wasco within the standard 0.5 mile Project Area of Analysis (CEQA)/Area of Potential Effect (NEPA) (PAA/APE) to each side of linear routes in rural areas in use for the HECA project. There may be other resources that staff is unaware of at this time. Without an understanding of the nature of historic-age resources within the PAA/APE sphere of influence of the transportation routes and coal facility, staff is unable to determine the potential for impacts to those resources. Staff has concerns about impacts on integrity of the resources. Areas of concern include but are not limited to 1) integrity of feeling, association setting and materials as defined by California Register and National Register Criteria for Evaluation for historical resources/historic properties; 2) structural integrity from vibration from the increase in heavy truck traffic; and 3) structural integrity of any historic roads or bridges along the transportation route(s).

Wasco:

The City of Wasco has a downtown Historic Downtown Overlay District (Ordinance # 2000-442, May 16, 2000), much of which is within 0.5 mile radius of the railroad, Savage Coal facility, and the proposed truck route (see **Cultural Resources Figure 13** - attached). In addition, located immediately due north of the Savage Coal facility is what is known as the Labor Camp. The Labor Camp currently provides seasonal and year-round migrant housing administered by the county. Historically, it was developed in 1942 as a camp for workers in the Guayule plantation fields during WWII after Congress passed the Emergency Rubber Act. The Labor Camp has the potential to be considered eligible for listing on the CRHR/NRHP as an historical resource under Criterion 1/A: association with broad patterns of our history (WWII).

Shafter:

Within 0.5 mile of the proposed truck route along State Highway 43 (Great Central Valley Highway) are two historic buildings listed on the National Register of Historic Places. (see **Cultural Resources Figure 14** - attached). The Shafter Depot Museum is located directly on State Highway 43 and the Green Hotel is located one-block from the highway on James Street.

In addition, staff has identified at least one historic-age bridge on State Highway 43 which crosses the Goose Lake Slough south of Shafter. This bridge is identified by Caltrans as #50-0077 and dates to 1951. While Caltrans found the bridge to be not eligible for listing on the National Register in its 1986 survey, staff recommends these evaluations for historical significance be updated when a resource becomes older than 50 years. The Goose Lake Slough bridge is now 62 years old and therefore should be re-evaluated.

DATA REQUESTS

- A246. Staff requests that applicant provide a cultural resources literature search and survey along the proposed truck route, identifying historic-age built environment resources 45 years or older within the established PAA/APE for linear facilities of the proposed HECA project, which is not less than 0.5 mile on each side of linear facilities.
- A247. The survey shall include the recordation of the resources on a State of California Parks and Recreation Form DPR 523a (Primary Record) and DPR 523j (Location Map) at a minimum, with additional DPR forms as needed to reflect the nature of the resource being recorded. These resources may include but are not limited to: railroad lines, transmission lines, canals and ditches, bridges, buildings, farm structures, trails and roads, major plantings (for example, a palm-lined boulevard) and districts such as farms and commercial/industrial areas. The Wasco Labor Camp may be recorded as a district without calling out individual contributing elements to the district on separate 523a forms. Other districts may be treated in the same manner.
- A248. Please provide an assessment of whether the proposed transportation route, with its increased truck and railroad traffic in Wasco, would be in compliance with the Historic Downtown Overlay District. If not, what mitigation might be proposed to bring it into compliance with Ordinance # 2000-442?
- A249. Please provide an assessment of whether the proposed transportation routes not previously surveyed or evaluated would impact any identified historic built environment resources in terms of setting, location, association, feeling, design, materials or workmanship. For instance, changes in design, materials and workmanship might include structural changes required to withstand heavier loads, vibration or noise. Changes in setting or association might be caused by increased traffic or rerouting of a roadway adjacent to or within a resource set in a rural landscape.

References:

CEC-140-2007-003. California Energy Commission Siting Regulations, Appendix B (g)(2). April, 2007

Technical Area: Hazardous Materials Management
Author: Dr. Alvin Greenberg

BACKGROUND:

Although the Wasco Coal Terminal Supplemental Environmental Analysis (SEA; TN 200797) states that "service of the HECA Project would not require construction of any new systems at the Wasco Coal Terminal, including any new coal storage silos", the use of the existing terminal and silos for the HECA project trigger the environmental review of the facility and thus staff must assess the use and risk posed by the presence and use of any hazardous materials stored, used, or transported to the Wasco Coal Terminal. Merely stating within the SEA that the facility is "in compliance with all applicable rules and regulations for storing and handling hazardous materials Coal Terminal" is not adequate for a CEQA analysis. Staff needs additional information to ensure that the use, storage, and transportation of hazardous materials at the coal terminal do not pose a significant risk to the public.

DATA REQUESTS

- A250. A list of all hazardous materials that will be used, stored, or transported to the coal facility during operations when serving the HECA project, including chemical name, Chemical Abstracts Service (CAS) number, concentration, amount in pounds or gallons, health effects, reactivity, fire danger, means of storage (e.g., above-ground tank, tote, container for solids, etc.), and emergency response for spills.
- A251. Describe the safety measures installed and implemented, including Total Dust Management procedures and measures to comply with the OSHA Combustible Dust National Emphasis Program (CPL 03-00-008 March 11, 2008), instituted to prevent explosions in the silos due to the presence of coal dust.

Technical Area: Worker Safety and Fire Protection
Author: Dr. Alvin Greenberg

BACKGROUND:

Although the Wasco Coal Terminal Supplemental Environmental Analysis (SEA; TN 200797) states that "the existing Coal Terminal operations are currently and have always been in compliance with Occupational Safety and Health Administrative (OSHA) rules and regulations since it opened for operations, Savage Services Corporation maintains a general Health and Safety Plan for all of its facilities" and that "with increased operations at the Coal Terminal, all health and safety operations compliance would be maintained", the use of the existing terminal for the HECA project triggers the environmental review of the facility and thus staff must assess compliance with all

occupational health and safety and fire protection laws, ordinances, regulations, and standards (LORS) and risks posed to workers at the Wasco Coal Terminal. Merely stating within the SEA that the facility is in “compliance with OSHA rules and regulations” is not adequate for staff’s analysis. Staff needs additional information to ensure that the coal terminal will be in LORS compliance regarding worker safety and fire protection and would not pose a significant risk to workers.

DATA REQUEST

A252. Please provide a copy of Savage Services Corporation’s Health and Safety Plan (H&S Plan) for the Waco Coal Terminal and any supplemental information (if not included in the H&S Plan) regarding an Emergency Action Plan, Fire Protection Plan (including fire detection and suppression systems), worker Heat Stress Plan, emergency access points onto the coal terminal site other than the main gate, the location and number of automatic external defibrillators (AEDs) on the site, and training and maintenance procedures.

Technical Area: Public Health
Author: Dr. Alvin Greenberg

BACKGROUND

The Wasco Coal Terminal Supplemental Environmental Analysis (SEA) (TN 200797) recognizes that “increasing operations at the Wasco Coal Terminal to its full physical capacity would increase truck and train operations which could generate a potential health risk from additional diesel and coal dust emissions for residents and workers in the vicinity of the Coal Terminal.” The SEA estimated risks based on “total project emissions at full operations” as this was considered to be the “most conservative analysis approach.” A total of 771 offsite receptors were assessed; all receptors east of Highway 43 and all schools in the modeled area were modeled as 330 discrete individual receptors. The results showed that the proposed increased operations at the Wasco Coal Terminal of 1,500,000 tons per year due to the HECA project would be 8.5×10^{-6} at the point of maximum impact and therefore not be greater than the regulatory threshold. Staff has questions about this conclusion.

INFORMATION/CLARIFICATION REQUESTS

A253. The SEA estimated risks based on “total project emissions at full operations” (page 3-7) and Table 3.6-1 (page 3-10) lists the 2012 operations risk at 1.75×10^{-6} and the future maximum operations (with the HECA project) risk at 8.5×10^{-6} . This maximum risk is shown in Table 3.6-1 as being due to exposure via the “inhalation” pathway only. The SEA indicates on page 3-9 that Hotspots Analysis and Reporting Program (HARP) risk assessment parameters were “set to enable homegrown produce, dermal, soil ingestion, and mother’s milk pathways, in addition to the inhalation pathway” to be assessed. Neither Table 3.6-1 nor the SEA narrative discusses the results of the assessment of these other exposure pathways. HARP output files are supposed to be present in Appendix C but they are not. Please provide the HARP input and output files so that staff can evaluate these other exposure pathways.