

DOCKETED

Docket Number:	08-AFC-08A
Project Title:	Hydrogen Energy Center Application for Certification Amendment
TN #:	201396
Document Title:	Summary of Phone Conference with Alvin Greenberg
Description:	N/A
Filer:	Chris Romanini
Organization:	HECA Neighbors
Submitter Role:	Intervenor
Submission Date:	12/10/2013 1:05:02 PM
Docketed Date:	12/10/2013

To summarize my Dec 6, 2013 conference call with CEC's Alvin Greenberg, Geoff Lesh, and John Heiser, joined by Tom Frantz: Alvin disagrees with many of the EPA's Oct 24, 2013 comments on HECA's PSA/DEIS, which EPA labeled "Insufficient Information". But our conversation centered on one aspect, the worst-case study of an accidental release of an entire 1,900,000 gal tank of anhydrous ammonia. HECA did a worst-case study but submitted it under confidential cover. I was pleased that the EPA questioned why this information could not be given to the public. (As a side note, PSA 4.5-28 states the worst-case is described in AFC HECA 2012e. Yet this material is not copied in the PSA, so this information is also hidden from me.) To summarize Alvin's answer, the EPA and the CEC do not agree on the same procedures or rules. For example, the EPA looks at worst case scenarios. But the CEC looks at the most likely risks, then through mitigation, brings risks down to less than significant. And because terrorists could use risk information to do harm, after 9-11 the CEC does not release worst case scenarios to the public. Since the EPA's approach is much more open and more protective of my family's safety, I asked if he could clarify the rules with the EPA and give them to the public in writing. But Alvin was reluctant to approach the EPA about their disagreements. So, if the main agencies are disagreeing and not communicating, where does that leave the public? Frustrated, as Alvin acknowledged, repeatedly. He said he will follow California rules. Minimally, it would be helpful to list the California rules compared to what the EPA believes are the rules. Since this is an untested demonstration project, shouldn't the most protective of the public supersede?

I was pleased that Alvin is looking into an air monitor for Tupman. I again stressed, besides registering hazardous fumes, it is important it register both ozone and particulate matter.

During our conversation I realized not all of what the public submits gets reviewed. What is the CEC procedure for handling public comments? Is someone reading them? Or can it be that docketed comments are vaguely labeled and thus not sent to appropriate departments and thus not read and addressed? What about oral comments? Alvin did not know I made public comments at the Nov hearing in Buttonwillow about this EPA letter concerning hazardous risks and pre existing health conditions. Weren't public comments recorded? Does anyone listen to the recording? I asked for an update on my Sept. docketed letter questioning risks from the Tupman propane factory, Inergy. Alvin did not confirm that he was aware of my letter. He only said he reads what is labeled Health and Hazardous. But maybe my letter was not properly labeled, and thus, no one read it. It appears oversight of public comments needs to be reviewed.

Alvin suggested another hearing on health and hazards. There may already be enough questions from the public that just need the CEC's response with Sufficient Information. Example, PSA 4.5-41 under AIR was a summation of my many questions. My fears were dismissed with "response can be seen in this section of the PSA/DEIS above". No. For one, I didn't see the answer if ammonia fumes or CO2 were deadly. I didn't see if anything can explode. What I did see is that the CEC said HECA won't be 100% accident free. CEC gave "insufficient information" to support the conclusion that risks are less than significant. And my family is right there. Please examine worst case scenarios, now, and not wait for a management plan after HECA gets approval. I also respect the questions of Sierra Club and AIR as they are protective of my family. But they were also dismissed in 4.5-46 as "informative and interesting" but not answered. The public deserves clear answers to all questions. Also, addressing all EPA questions on Hazardous materials and public health could clarify many of my concerns.

Respectfully
Chris Romanini

