

DOCKETED

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Association of Irrigated Residents (AIR)

April 9, 2014

California Energy Commission

Re: 08-AFC-8A

AIR status report

CEC Staff should have been present in Wasco during the three hearings for the expansion of the coal facility. They could have learned a lot simply from what HECA representatives told the Wasco Planners and the Wasco City Council. It is unfortunate that CEC staff does not seem to care much about what happens in Wasco. HECA staff was at these meetings as well as three different interveners but the CEC was not to be found.

The paragraph below is from the PSA.

“HECA may result in an increased use of the Wasco coal transloading facility which could result in impacts related to air quality, public health, and traffic and transportation, among others. The potential need for expansion and improvements of the coal transloading facility near Wasco was not analyzed in the PSA/DEIS. Staff will be analyzing these potential impacts in the FSA/FEIS. **Socioeconomic Table 2** shows that on April 1, 2010 there was an 86 percent minority population in Wasco. Staff will assess whether there is an environmental justice population in the immediate vicinity of the transloading facility that could be adversely or disproportionately impacted. Staff will provide updated information in the FSA/FEIS”

AIR can't wait to see the analysis promised in the paragraph above.

Wasco officials, speaking on behalf of HECA, made it sound like they were simply amending the CUP issued around 1987 so that it would be in conformity with the Kern County Air District permit of that same time period. But, it is clear from the original documents that although the air district recognized that the capacity of the coal facility was 1.5 million tons per year, they were limiting the operation of the facility to significantly less than that amount. This limit was imposed by the allowable hours of operation for unloading coal which were to be no more than 8 hours per day. This restriction can be seen in a copy of the relevant document page below.

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OPERATIONAL CONDITIONS:

- a. Coal moisture content shall be at least 6%. (Rule 209)
- b. Process weight rate for facility shall not exceed 1.5 MM TPY without prior District approval. (Rule 209)
- c. Coal receiving capacity shall be no more than 1,750 TPH without prior District approval. (Rule 209)
- d. Coal receiving operation shall operate no more than 8 hours per day without prior District approval. (Rule 209)
- e. Fabric collector shall be strictly maintained with replacement on hand at all times. (Rule 209)
- f. Fabric collector shall be inspected regularly and shall be free any holes, tears, or openings. (Rule 209)
- g. Collected dust shall be returned to process and loaded out with coal. (Rule 209)
- h. Operator shall maintain and make available for District staff up request log of quantity of materials received and shipped. (Rule 209)
- i. No emission shall create nuisance. (Rule 419)
- j. If visible emissions exceed 0% opacity from any emission point additional dust control provision will be required. (Rule 210.1)

EMISSION SAMPLING LIMIT:

Particulate:

0.51 lbm/hr (Rule 210.1)

COMPLIANCE TESTING REQUIREMENTS:

Compliance with emission limit shall be demonstrated by District-witnessed sample collection by independent testing laboratory within 60 days after startup of this equipment and annually 60 days prior to permit anniversary date and official test results and field data submitted within 30 days thereafter. (Rule 108.1)

RULE 210.1 (NSR) ANALYSIS VALIDATION:

Maximum daily emission rate of particulate matter from entire stationary source shall not exceed 1.1 times daily amount shown as "proposed" on attached emission profiles.

The Kern County Air District only analyzed particulate matter from the coal operation. That is not sufficient by today's standards. The air district put a daily limit on particulate emissions. It is not clear if that limit would be exceeded by the proposed increase in tonnage. The intended increase from 900,000 tons permitted in 1987 to 1.5 million tons needs a new analysis from the air district of all the potential air quality impacts. The San Joaquin Valley Indirect Source Rule should also be applied to the project.

In 1987 the Radian Corporation did the environmental study for the project. They studied particulate emissions based on 900,000 tons of total coal handling per year. That study now must be done for 1.5 million tons per year.

No one in 1987 envisioned coal unloading and truck loading for 20 hours per day. The impacts of increased hours of operation is an important and significant change to the current permit conditions because of the impacts from noise, vibration, lights, truck movement, train movement, and coal dust. A new environmental impact report is mandated.

Even though the current permit is 900,000 tons annually, the current baseline is far less than that amount. Recently, coal deliveries have been less than 200,000 tons per year. All the relevant changes from this baseline are in need of study and mitigation.

Returning trucks currently enter the facility from a special entry on the east side. The proposed truck route for HECA means that entry is no longer appropriate. Any changes to how trucks enter the facility must be analyzed.

The biggest impact from the facility expansion will be on the over two hundred farm worker homes immediately to the north. These impacts include:

- Noise at night causing windows to be closed and lack of sleep
- Periodic blockage of the Poso St railroad crossing
- Alternative 6th street railroad crossing needs repairs and has no sidewalk or lighting
- Walking Children and adults continually cross the railroad tracks near the Amtrak station to get to 7th street on their way to shopping and school. They have even been seen crawling under coal cars as they cross the tracks (see picture below).
- Dust on clothes hanging to dry.



This photo is of school kids from the farm labor camp crossing the tracks between empty coal cars on their way to school. It was taken in 2011. Here is a link to a video showing a similar scene: <http://youtu.be/h8O56gZXuD0>

Other impacts from this expansion will be an increase of coal spillage along the railroad route. In Wasco itself, a cleanup operation was done recently. After this cleanup, coal was still observed in an almost continuous pile along the tracks for up to a mile south of Poso St. It is obviously impossible or prohibitively expensive to pick up all the coal that is spilled. Another environmental justice community lives along the west side of the railroad tracks south of Poso. The impacts of increased rail noise and coal spillage must be analyzed on their behalf.

It is expected that eventually the CEC will do the necessary environmental impact studies of the Wasco coal facility expansion.

It appears that the City of Wasco made an illegal decision in approving this expansion without first seeing the results of the study and letting the public comment on those results. How can a public entity make a decision like this without all the information in front of them?

Finally, on April 9, 2014, the day of this writing, a thick black cloud of coal dust was observed above the Wasco coal facility. This is obviously not the clean operation that HECA is telling the public. A picture taken of the coal facility from the east at 9 am on April 9, 2014 is below. Perhaps the CEC should investigate this cloud of dust in order to determine how often this might happen with the expansion of this coal facility.



Tom Frantz
Association of Irrigated Residents