

DOCKETED

Docket Number:	97-AFC-01C
Project Title:	High Desert Power Plant (COMPLIANCE)
TN #:	203036
Document Title:	Motion to Conduct Evidentiary Hearing
Description:	N/A
Filer:	Gary Ledford
Organization:	Gary A. Ledford
Submitter Role:	Intervenor
Submission Date:	9/4/2014 1:02:33 PM
Docketed Date:	9/4/2014

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Party in Intervention
In Pro per

STATE OF CALIFORNIA

Energy Resources Conservation
And Development Commission

In the Matter of:)	Docket No. 97-AFC-01C
)	
)	MOTION TO CONDUCT
)	EVIDENTIARY HEARING
)	ON FEASIBILITY STUDY
)	FOR 100% USE OF RECLAIMED
)	WATER – AND CUMULATIVE
)	IMPACTS WITH VICTORVILLE 2
)	HIGHBRED
)	
The Application for)	September 10, 2014
For the High Desert Power Project)	
[HDPP])	
)	
)	

MOTION TO CONDUCT EVIDENTUARY HEARING[s]

This Motion is based on the promises made to the Public in numerous hearings, in 1999 and 2000, wherein the Public was assured that the Conditions of Approval for HDPP would be complied with.

In the hearing on January 27th, 2000 Hearing Office Valkoski clarified the record, at page 47 Lines 16 – 25.

“Now, if you have a more severe drought, or you’ve got an extended drought, and no water goes into the bank, under those conditions, as I understand it, the penalty for that falls on the applicant. Because they have no water for their cooling towers, **therefore they do not operate. But it’s basically to their peril.**”

The attorney Mr. Thompson for HDPP states, “That is an excellent summary of our understanding” See Exhibit “A”

Since the Approval of HDPP an additional project on the same George Air Force Base Site has been approved, although not built, it proposes to use Recycled water from VVWRA.

High Desert Power has supposed to have filed a 100% Feasibility Study now for well over a year, and the Staff has approved an extension to November 14, 2104. See Exhibit “B”

Unless and until that Study has been completed and can show how the combined already approved projects can be fully serviced with water they promised they would never use, the rest of the issues relative to changes in conditions cannot occur.

Significant issues relative to Water Quality and Compliance have recently surfaced and need to be fully addressed. See Exhibit “C”

Although, I have prepared an opposition and filed it there a lot of issues that I have not been able to fully research.

I am requesting a continuance so that I can be better organized.

At the very least this hearing should be continued until after the Recycled Water Study has been completed and Public Evidenceary Hearings on this proposed modification can be Noticed and held.

Respectfully submitted:

September 4, 2014


GARY A. LEDFORD
PARTY IN INTERVENTION
IN PRO PER

1 could not operate.

2 HEARING OFFICER VALKOSKY: Exactly.

3 That's the point. They could not withdraw any
4 water from a bank which has a zero balance.

5 MR. LEDFORD: On the other hand, if we
6 were four or five years into the project and there
7 was 6000 acrefeet in the water and we went into a
8 three-year drought, we would not have provided a
9 mitigation measure to cover a three-year drought.

10 I mean when we went into this whole
11 process we talked about making sure that we had
12 enough water in a water bank to cover a three-year
13 drought, because that was what everybody thought
14 might be the worst case condition.

15 So my --

16 HEARING OFFICER VALKOSKY: Right, but,
17 Mr. Ledford, and I think we've gone far enough on
18 this, that the purpose, at least as the Committee
19 understood it, of having water in the bank for the
20 three-year drought was to insure project
21 operations.

22 Now, if you've got a more severe
23 drought, or you've got an extended drought, and no
24 water goes into the bank, under these conditions,
25 as I understand it, the penalty for that falls on

EXHIBIT "A"
Hearing January 27, 2000

1 the applicant. Because they have no water for
2 their cooling towers, therefore they do not
3 operate. Their protection, in that case, has
4 failed. But it's basically to their peril.

5 Mr. Thompson, is that a sufficient
6 summary of applicant's understanding or assumption
7 of the risk on this?

8 MR. THOMPSON: That is an excellent
9 summary of our understanding.

10 HEARING OFFICER VALKOSKY: Yeah, so I
11 mean I don't think we have to go any farther on
12 that. It's something that --

13 MR. LEDFORD: But --

14 HEARING OFFICER VALKOSKY: -- they have
15 assumed.

16 MR. LEDFORD: And I will again say, with
17 that explanation by you and staff and applicant,
18 in making this record clear, that will satisfy my
19 concern.

20 HEARING OFFICER VALKOSKY: Okay, thank
21 you.

22 MR. LEDFORD: Because at some point in
23 time if it doesn't work we'll bring this record
24 before somebody and say, this is what we all said,
25 guys.

2 Does that help?

3 MR. LEDFORD: Well, it makes it real
4 confusing when you go back and read soil and
5 water-6.

6 MR. THOMPSON: Mr. Valkosky, could I
7 interject something here?

8 These conditions were contained in the
9 [REDACTED]
10 staff testimony, the final analysis, and were the
11 [REDACTED]
12 subject of extensive cross-examination and comment
13 [REDACTED]
14 during the evidentiary phase of this proceeding.

12 And I would just voice an objection that
13 we are spending time doing something, ground that
14 has already been covered. And these are not the
15 subject of --

16 HEARING OFFICER VALKOSKY: I understand
17 that, Mr. Thompson. But, you know, so far on the
18 three or four areas that we've had Mr. Ledford
19 inquire on, he's basically been satisfied with
20 responses. And this is just because of some
21 misunderstanding or desire, at least as I see it,
22 on his part for additional clarification.

23 To the extent we can assist him in
24 understanding this, I'm going to give him some
25 more leeway.

DOCKETED

Docket Number: 97-AFC-01C

Project Title: High Desert Power Plant (COMPLIANCE)

TN #: 203000

Document Title: Feasibility Study Extension Email to HDPP

Description: N/A

Filer: Joe Douglas

Organization: California Energy Commission

Submitter Role: Commission Staff

Submission Date: 8/28/2014 10:42:16 AM

Docketed Date: 8/28/2014

EXHIBIT ~~1~~
B

From: Hoffman, Craig@Energy
To: Strauss, Fred;
cc: ["Jeffery Harris"; Boyer, Jon; Marshall, Paul@Energy; Abulaban, Abdel-Karim@Energy;](mailto:'Jeffery Harris'; Boyer, Jon; Marshall, Paul@Energy; Abulaban, Abdel-Karim@Energy;)
Subject: High Desert: Request for Extension to November 1, 2014 is approved
Date: Thursday, April 04, 2013 2:28:32 PM

Fred

Let this email serve as your record, that Soil and Water-1 verification has been extended for the Feasibility Study due to November 1, 2014.

Please let me know if you have any questions.

Thank you.

Craig Hoffman
Project Manager

California Energy Commission
Siting, Transmission and Environmental Protection Division
1516 Ninth Street, MS 2000
Sacramento, CA 95814-5512

phone: 916-654-4781
fax: 916-654-3882

From: Abulaban, Abdel-Karim@Energy
Sent: Thursday, April 04, 2013 12:49 PM
To: Hoffman, Craig@Energy; Strauss, Fred
Cc: 'Jeffery Harris'; Boyer, Jon; Marshall, Paul@Energy
Subject: RE: High Desert: Request for Extension

Craig,

I called Logan Olds, the general manager of VVWRA and left a message to inquire about the reason why the Authority had not been able to supply reclaimed water to the HDPP. I received a reply back from him via a voice message. What he said is that the prominent reason for not being able to supply the reclaimed water to the project was that the Authority had a pretty significant expansion project going on, which involved the replacement of the chlorine-based disinfection system with an ultra-violet one. The expansion took much longer than had been anticipated to complete. Now that the expansion has been completed, the Authority does not anticipate any problems supplying the reclaimed water to the HDPP.

Therefore, staff will recommend approving the requested extension of the due date of the feasibility study for another year. However, staff hopes that there would be no further delays and requests for more extensions going forward.

Thank you.

**Abdel-Karim
Abulaban, Ph.D., P.
E., QSD/P**
Associate Civil Engineer
CA Energy Commission
1516 9th St., MS 46
Sacramento, CA 95814

Ph. 916-651-3775; Fax 916-654-3882

From: Strauss, Fred [<mailto:FStrauss@TENASKA.com>]
Sent: Tuesday, March 12, 2013 6:31 AM
To: Hoffman, Craig@Energy
Cc: 'Jeffery Harris'
Subject: High Desert: Request for Extension

Craig:

Attached please find our request to extend the Feasibility Study due date for High Desert Power Project to November 1, 2014. Your consideration and attention to this matter is greatly appreciated. Please call if you have any questions or require additional information.

The favor of a reply to this email confirming your receipt would be appreciated.

Kindest regards,

M. Fred Strauss, P.G.
Director, Environmental Programs
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DOCKETED

Docket Number: 97-AFC-01C

Project Title: High Desert Power Plant (COMPLIANCE)

TN #: 201470

Document Title: Water Supply Issues - Report of Conversation with CEC staff

Description: N/A

Filer: Craig Hoffman

Organization: California Energy Commission

Submitter Role: Commission Staff

Submission Date: 12/23/2013 3:04:16 PM

Docketed Date: 12/23/2013

EXHIBIT "B"
C



Siting and Environmental Protection Division

FILE: (97-AFC-1C)

		PROJECT TITLE: High Desert Power Producers	
<input checked="" type="checkbox"/> Telephone	760-246-8638	<input type="checkbox"/> Meeting Location:	
NAME:	Abdel-Karim Abulaban	DATE:	12/19/2013
WITH:	HDPP representatives		
SUBJECT:	Recycled water quality issues		
TIME:		1:00 p.m.	

Phone conference attended by:

- Craig Hoffman, Compliance Project Manager, Energy Commission
- Fred Strauss, HDPP, President of Operations TENASKA
- Frank Carelli, HDPP Site Operations Manager
- Jon Boyer, HDPP Environmental Compliance Manager
- Randy Cullison, HDPP operations staff
- David Wingfield, HDPP operations staff

COMMENTS:

In the 2013 Biannual Feasibility Progress Report dated November 18, 2013, HDPP owner indicated that they had been having some issues with recycled water quality that prevented them from using it. The main issues were that the recycled water contained high levels of total dissolved solids (TDS) and high concentrations of silica which has been determined to play a significant role in the decline of performance of the microfilter (MF) system. As a result, the power plant has been relying on well water for their industrial needs.

Staff wanted to discuss the reasons why the water quality has deteriorated in the past few months and to get input from HDPP staff about the prognosis of the issues. Staff also wanted to find out if the issues had to do with the water quality only or that water quantity was an issue as well.

After the meeting was started and Energy Commission staff summarized the purpose of the meeting, Fred Straus said that the best person to address those concerns was Frank Carelli.

Frank said that the problem with the recycled water was that it contained high levels of TDS and silica. These substances had to be precipitated and removed before the recycled water can be processed by the zero-liquid- discharge (ZLD) system utilized by the power plant. An MF system is used to condition the recycled water before it can be fed to the ZLD system. However, the precipitate from the high levels of TDS and silica kept clogging the MF system. HDPP staff contacted the recycled water supplier, the Victor Valley Wastewater Reclamation Authority (VWWRA) to discuss the reasons for the high TDS and silica. The VWWRA did not have a definite answer. However, it was indicated that low flows might have contributed to the elevated TDS and silica.

When asked if high TDS and silica concentrations were the only reasons the recycled water could not have been used by the HDPP, and if the recycled water quantity was also an issue,



Mr. Carelli indicated the plant could have used the recycled water if it were not for the high TDS and silica concentrations, but he also indicated that the recycled water quantity has also been affected by the poor economy and lack of growth in the area that would generate higher wastewater flows.

About the prognosis of the issues, Mr. Carelli indicated that they have no idea about when the situation is going to be mitigated and thus have no definite time in sight when recycled water consumption will resume. Mr. Carelli also stated that HDPP staff is in constant contact with the VVWRA staff to find out the cause of the problems and what can be done about them.

Energy Commission staff suggested that a follow-up meeting be held in two months to get an update on the situation. HDPP staff agreed to the follow-up meeting.

Action item: Meet about two months later (about February 2014) to get an update on the recycled water situation. Staff will verify flow rates and water quality conditions with VVWRA, research the filtration issues indicated by the owner, evaluate why recycled water is not currently being used since it is available and what necessary changes will need to be implemented so that the recycled water can be utilized.

CC:	Signed:
	Name:
