

DOCKETED

Docket Number:	08-AFC-07C
Project Title:	GWF Tracy (Compliance)
TN #:	206391
Document Title:	Petition to Amend regarding Alternative Water Supplies
Description:	N/A
Filer:	Paul Kihm
Organization:	Latham & Watkins LLP
Submitter Role:	Applicant Representative
Submission Date:	10/19/2015 10:52:28 AM
Docketed Date:	10/19/2015

Michael J. Carroll
Marc T. Campopiano
LATHAM & WATKINS LLP
650 Town Center Drive, Suite 2000
Costa Mesa, CA 92626
(714) 540-1235

STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:) DOCKET NO. 08-AFC-07C
)
GWF TRACY COMBINED CYCLE POWER) PETITION TO AMEND REGARDING
PLANT) ALTERNATIVE WATER SUPPLIES
)
_____)

GWF Energy LLC (GWF) hereby requests a minor modification to the license for the GWF Tracy Combined Cycle Power Plant (GWF Tracy) pursuant to Title 20, California Code of Regulations, Section 1769(a)(2). The requested modification would allow for an additional means of transporting a previously approved alternative water supply from its source to the GWF Tracy site. As set forth below, there is no possibility that the requested modification will have a significant effect on the environment. Nor will the requested modification result in a change or deletion of a condition or make changes that would cause the project not to comply with any applicable laws, ordinances, regulations or standards. Therefore, the requested modification can be approved by staff pursuant Title 20, California Code of Regulations, Section 1769(a)(2).

Background

On March 24, 2010, the California Energy Commission (Commission) issued a license to GWF for GWF Tracy. GWF Tracy is located on a 40-acre parcel in unincorporated San Joaquin County, southwest of the City of Tracy. GWF Tracy is a 330 MW combined cycle plant that employs an air-cooled condenser, which substantially reduces water requirements to approximately 5% of the water required by a conventional water-cooled plant of similar size. Water is used for evaporative cooling of inlet air (when ambient conditions dictate) and for make-up water for the steam cycle. At steady state conditions, GWF Tracy utilizes approximately 37 gallons per minute (gpm) of surface water from the Byron-Bethany Irrigation District (District) via the Delta-Mendota Canal (Canal) adjacent to the GWF Tracy site. Average annual use at 37 gpm for 8,000 hours of operation is equal to 54.4 acre-feet per year. Actual recent usage has averaged 25-30 acre-feet per year.

On July 30, 2015, the Commission approved modifications to the license for GWF Tracy. The modifications allow GWF Tracy to use alternative water supplies (four alternatives were

approved) to avoid being forced to reduce or suspend operations in the event that water supplies from the District are curtailed. The modifications did not increase the amount of water used by GWF Tracy to levels above those analyzed in the initial Commission decision. All alternative water source options use temporary onsite storage and conveyance infrastructure. The temporary equipment includes approximately 110 portable storage tanks with a combined capacity of 7 acre-feet which is approximately a 45-day supply. Collapsible piping to connect the storage tanks to the facility's water treatment system are used with a portable diesel fueled pump to convey the water through the system.

One of the alternative water supplies approved by the Commission is groundwater from an agricultural well in close proximity to the GWF Tracy site (the "Bogetti Water"). At the time use of the Bogetti Water was approved, the primary plan for conveying the water to GWF Tracy was an existing pipeline that runs from the well to approximately 30 feet from a flanged connection that leads into the GWF Tracy water inlet. The flanged connection would be connected to GWF Tracy using temporary piping or non-collapsible hosing. This continues to be the preferred option for conveying the Bogetti Water to GWF Tracy. However, obtaining approval for use of the existing pipeline has proven to be more time-consuming than originally anticipated. As a result, GWF is seeking approval to convey the Bogetti Water via truck should that be necessary. This alternative means of water conveyance would require installation of temporary storage at the location of the Bogetti Water well and alternative temporary storage on the GWF Tracy site.

20 CCR Section 1769 Information Requirements

The following subsections contain the information required pursuant to Title 20, California Code of Regulations, Section 1769(a)(1).

A. Description of Proposed Project Changes

Section 1769(a)(1)(A) requires "a complete description of the proposed modification, including new language for any conditions that will be affected."

The proposed modification would allow transport of the Bogetti Water from the location of the well to GWF Tracy via truck. Transport of water would occur via 5,500 gallon capacity tanker trucks making 9-10 round trips per day. The distance between the Bogetti Water well and the GWF Tracy site is approximately 3.95 miles. The proposed truck route is shown in Exhibit A to this petition.

The alternative transportation method would require installation of eight temporary mobile storage tanks, with a capacity of 21,000 gallons each, at the location of the Bogetti Water well, and installation of one or more temporary storage tank(s) with a total capacity of 352,260 gallons at the GWF Tracy site. The temporary storage tank(s) at the GWF Tracy site would be equivalent to 15-20 of the 110 temporary storage tanks previously approved by the Commission. The proposed location of the well site storage and GWF Tracy site storage are shown in Exhibits B and C to this petition, respectively.

No Conditions of Certification would be affected by this proposed modification.

B. Necessity of Proposed Change

Section 1769(a)(1)(B) requires “a discussion of the necessity for the proposed modifications.”

The proposed modification may be necessary for GWF Tracy to continue operations in the event that water deliveries from the District are curtailed, use of the Bogetti Water is required and authorized pursuant to Soil & Water-4 as amended by the Commission on July 30, 2015, and there is no ability to pipe the Bogetti Water to GWF Tracy.

C. Modification Is Based on Information Not Available During the Certification Proceeding

Section 1769(a)(1)(C) requires “if the modification is based on information that was known by the petitioner during the certification proceeding, an explanation why the issue was not raised at that time.”

The potential inability to pipe the Bogetti Water to GWF Tracy is an unexpected and new development. This information was not known by GWF during the initial certification proceeding or at the time the Commission approved use of the Bogetti Water as an alternative water supply.

D. Modification Is Not Based on New Information That Undermines the Final Decision

Section 1769(a)(1)(D) requires “if the modification is based on new information that changes or undermines the assumptions, rationale, findings, or other bases of the final decision, an explanation of why the change should be permitted.”

The requested modification is limited to an additional means of conveying a previously approved alternative water supply to GWF Tracy. This minor modification would not change or undermine the assumptions, rationale, findings, or other bases of the final decision as previously amended by the Commission.

E. Environmental Impact of Modification

Section 1769(a)(1)(E) requires “an analysis of the impacts the modification may have on the environment and proposed measures to mitigate any significant adverse impacts.”

With the exception of the Bogetti Water, all of the other alternative water supplies approved by the Commission on July 30, 2015 involved trucking water to GWF Tracy. Each of the other alternatives would involve 10-15 round trips per day, using standard 4,000-6,000 gallon tanker trucks. The distances for the previously approved alternatives vary from 57 miles to 165 miles each way. The Commission determined that the truck trips associated with these alternatives would not result in a significant impact on the transportation system or air quality. Trucking the Bogetti Water from the well to GWF Tracy would require 9-10 round trips per day, over a distance of 3.95 miles each way, using standard 4,000-6,000 gallon tanker trucks. Thus, trucking the Bogetti Water would involve far fewer miles of truck travel than any of the other

three alternatives already approved by the Commission, all of which were determined to not result in significant environmental impacts.

The temporary storage to be located at the site of the Bogetti Water well (Exhibit B) will be located on previously disturbed agricultural land. The alternative temporary storage to be located at the GWF Tracy site (Exhibit C) will be located on previously disturbed land within the fenceline of the site. Thus, the temporary storage tanks will not result in any significant environmental impacts.

No other potential environmental impacts would result from the requested modification, and approval of this petition will not result in significant adverse environmental impacts.

F. Modification's Impact on LORS Compliance

Section 1769(a)(1)(F) requires "a discussion of the impact of the modification on the facility's ability to comply with applicable laws, ordinances, regulations, and standards."

Approval of this petition will not impact GWF Tracy's ability to comply with applicable laws, ordinances, regulations, and standards.

G. Modification's Impact on the Public and Nearby Property Owners

Sections 1769(a)(1)(G), (H), and (I) require a discussion of how the modification affects the public, a list of potentially affected property owners, and the effects on nearby property owners, the public, and the parties in the application proceeding.

The only off-site consequences associated with the requested modification will be truck trips and siting of temporary storage at the site of the Bogetti Water well. All off-site activities will occur on the Bogetti property or public streets. As discussed above, the truck trips will not result in significant environmental impacts. The Bogetti family has agreed to utilization of their well and installation of any necessary temporary infrastructure. Thus, approval of this petition will not adversely affect nearby properties or the public.

Conclusion

For all of the reasons set forth herein, GWF respectfully requests that staff approve the requested modification pursuant Title 20, California Code of Regulations, Section 1769(a)(2).

DATED: October 19, 2015

Respectfully submitted,

/S/ MICHAEL J. CARROLL

Michael J. Carroll
LATHAM & WATKINS LLP
Counsel to Applicant

EXHIBIT A

Route from Bogetti Farm to GWF Tracy Facility

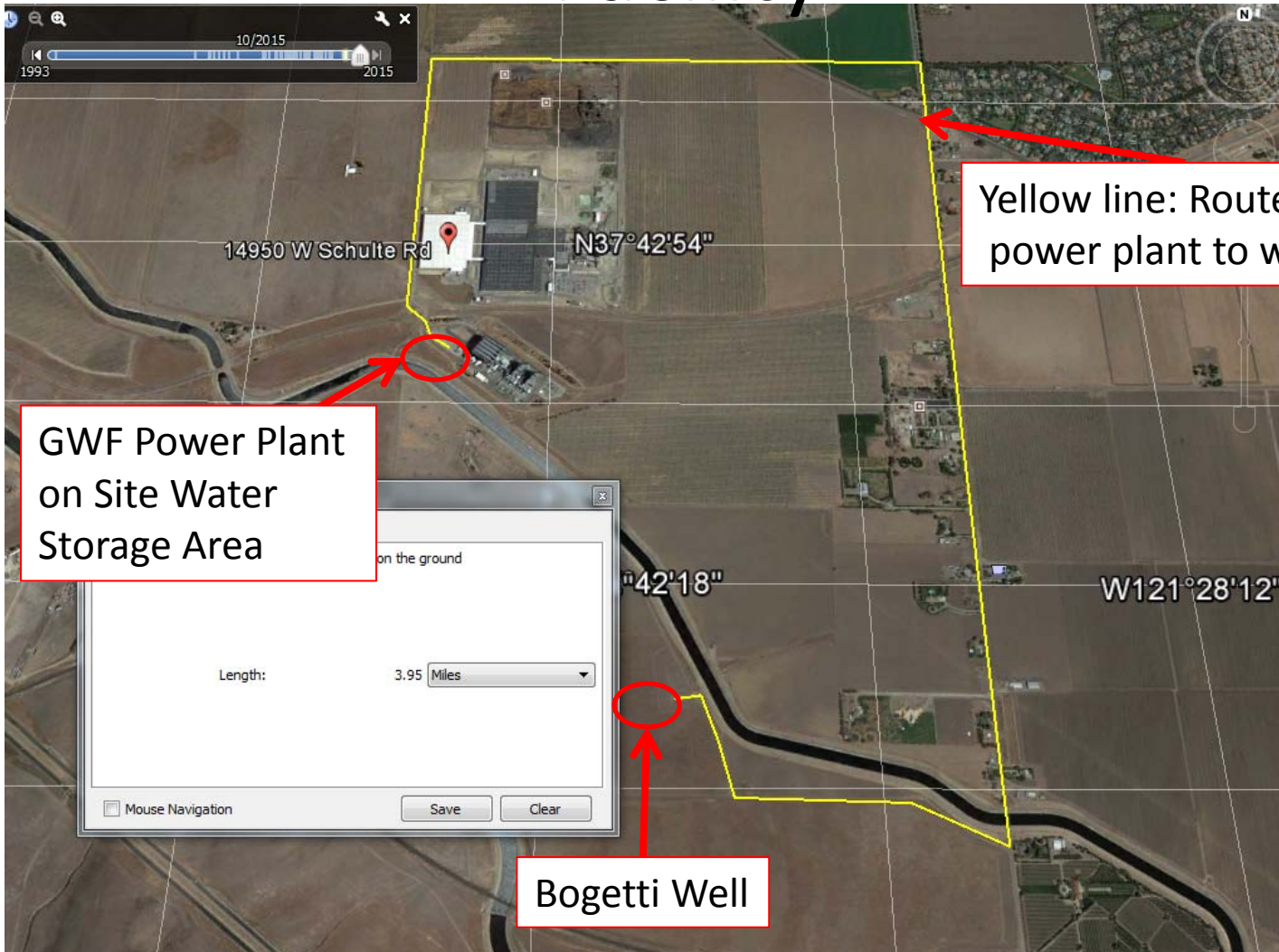


EXHIBIT B

Placement of mobile storage trailers

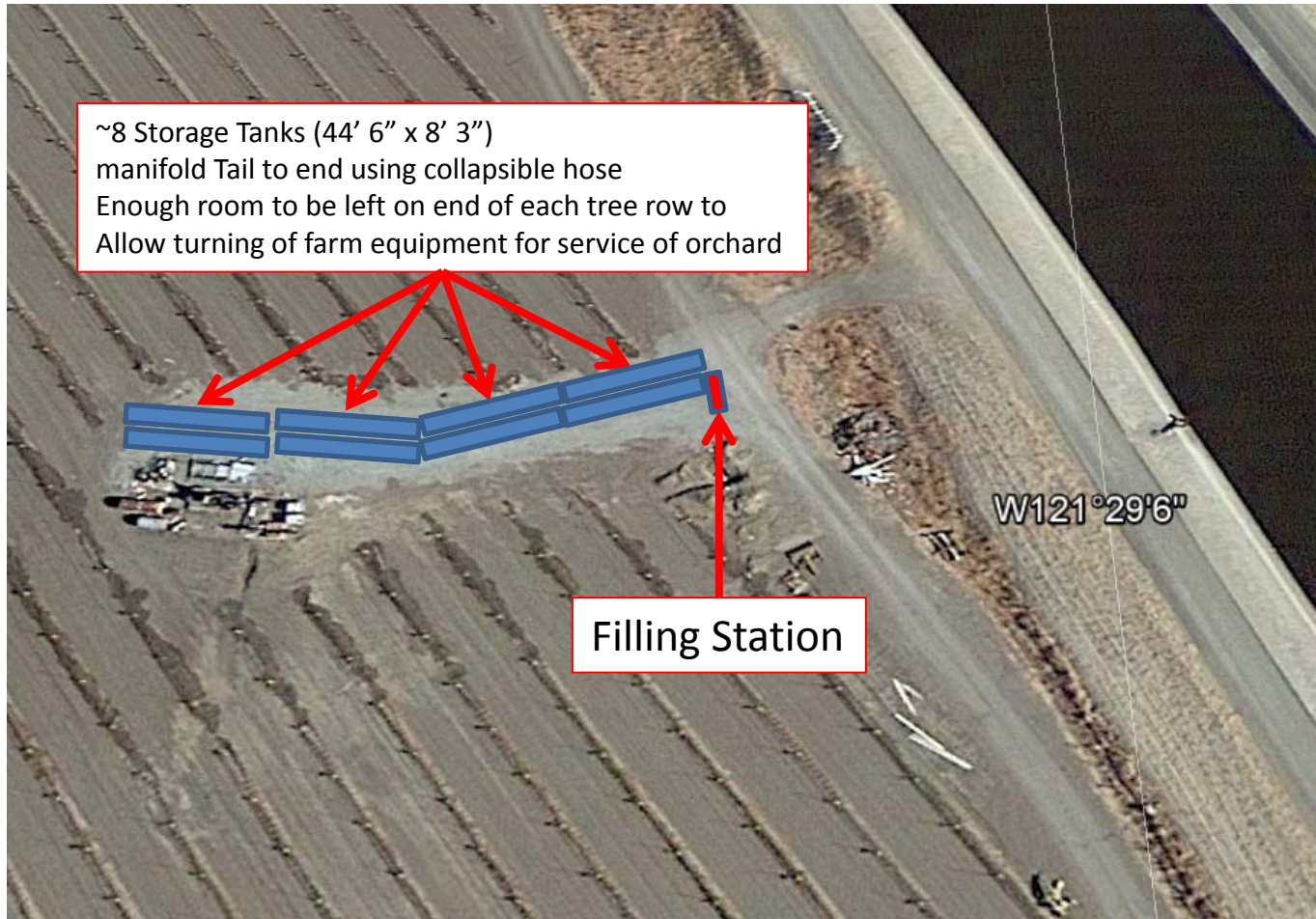


EXHIBIT C

Storage at the GWF Tracy Site

