

## DOCKETED

<b>Docket Number:</b>	08-AFC-08A
<b>Project Title:</b>	Hydrogen Energy Center Application for Certification Amendment
<b>TN #:</b>	206855
<b>Document Title:</b>	Do not reinstate AFC proceedings for HECA
<b>Description:</b>	During their suspension HECA has failed to provide required information to CEC staff.
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<b>Organization:</b>	HECA Neighbors/Chris Romanini
<b>Submitter Role:</b>	Public
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Do not reinstate the AFC proceedings for Hydrogen Energy California (HECA). You must stop HECA's attempt to again bend the rules of the CEC; and HECA must respect the county of Kern. The applicant has failed to provide the information the CEC required they docket before the end of the six month suspension period. HECA must follow the CEC's instructions and submit the required information on the defined project or the project must be terminated. The most noted missing information includes a CO2 buyer, a resolved conflict with Kern zoning, and other outstanding information (notably, water).

The CEC requires HECA to submit a signed contract from a buyer for their CO2. Nobody wants to buy their CO2. HECA needs a buyer to demonstrate the commercial viability of carbon capture and sequestration facilitating enhanced oil recovery. ...their original goal. But no oil company wants the liability, the risk, and the questionable profitability. If HECA does not have a buyer, they lose that revenue stream from selling the CO2. They also incur risks and the added expense of sequestering the CO2 themselves. SOOO ... the energy they finally sell to the grid, will be MUCH more expensive for the public to buy. This does not demonstrate commercial viability. And where will they find investors for such a risky project?

HECA must respect Kern County's zoning ordinances. HECA has repeatedly stated and written since 2012 their intent to make chemicals for transportation and other industrial uses. And verbally and in writing Kern County Planning has repeatedly advised them that a chemical factory making products for transportation and other industrial uses is not allowed in AG zoning, and they can only make fertilizer in AG zoning. So now when they apologize and say they will only make fertilizer, how can we trust that their products will not be resold for transportation and other industrial purposes? Before you reinstate the AFC, the CEC should require documentation of dialogue between HECA and the Kern County Planning Dept. where they resolve the necessity for a zone change and a general plan amendment. A structure must be developed to prevent chemicals HECA manufactures as fertilizer from ultimately going to an end user for industrial purposes....the obvious intent of the HECA applicant.

Power plants are to use the least amount of the most degraded water. Yet HECA has not modified their intent to consume 7500 acre feet of useable groundwater, ignoring widespread concerns. Why ?? The state is in the process of creating new rules to restrict the amount of groundwater pumped. Water districts are alerting farmers to project the possibilities...evaluate what fields they will have to eliminate from irrigation as the rules on groundwater pumping take shape. Is HECA facing the reality of the imminent changes in water policy? Are they projecting a revised lower production based on a more limited groundwater allowance, or the higher cost of buying water? The Kern County Board of Supervisors recommended that HECA consider dry cooling. What progress has HECA made to satisfy the Supervisors?

CO2 buyers have walked away because they see liability and a project that does not make business sense. So HECA is desperately trying to reinvent itself. With it's last breath it wants you to reinstate it's AFC so it can apply for more free grant money from the DOE, once again bleeding the US tax payers. It is time to say NO to a terrible project. Don't reinstate. Terminate.

