

DOCKETED

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Comment Received From: April Rose Sommer for Center for Biological Diversity

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PSA Comments

Please note that the link from the PEP homepage for submitting comments was not working causing a delay in the filing of this comment.

Additional submitted attachment is included below.



April 22, 2016

Re: PSA Palmdale Energy Center

SUBMITTED APRIL 22, 2016 BY UPLOAD TO THE CEC WEBPAGE

These comments are submitted by the Center for Biological Diversity (the “Center”) to the California Energy Commission (“the Commission”) regarding the Preliminary Staff Assessment (“PSA”) for the proposed Palmdale Energy Project.

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has 50,186 members and over 900,000 online activists, including 31,862 members and 111,877 online activists in California. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people and wildlife in Southern California and has long advocated against various proposals for gas power plants in Palmdale, CA.

Treatment of this application as an amendment is insufficient

The Applicant has not applied for changes to an existing project but instead an entirely different project. There is nothing similar about the PHPP and the PEP and the staff’s attempt to treat the required CEQA review as an “amendment to an existing power plant” is entirely unsupportable. The practical consideration of the staff permitting this application for a new plant to move forward as amended are clear in the PSA where staff do not even bother to analyze a majority of significant impacts of the PEP, claiming no change from the PHPP.

The fact that this is an entirely new project is clear from the PSA’s description of such:

“A complete description of the proposed modifications follows:

- Replacement of the General Electric gas turbines with new Siemens SGT6-5000Fs to meet pending need for “Flexible Resources” to support integration of renewable energy;
- A new steam turbine;
- A new auxiliary boiler;
- Elimination of the solar components of the approved project;
- Elimination of brine concentrator/crystallizer systems;
- Replacement of the wet cooling towers with an ACC;
- Reduction of the site from 333 acres to 50 acres;
- Reduction of the construction laydown and parking area from 50 acres to 20 acres;
- Reorientation of the power block with the HRSG stacks now on the east and the

combustion turbine inlets to the west;

- Relocation of the site access road approximately 900 feet further east on East Avenue M to the western edge of the site property line;
- Relocation of the point where the 230 kV transmission line turns south to the generating facility from East Avenue M to a point approximately 1,800 feet further west on East Avenue M;
- Addition of three 230 kV transmission line towers along the south side of East Avenue M north of the project site and extension of the generation tie-line westerly approximately 1,800 feet along the south side of East Avenue M;
- Addition of waste stream consisting of combustion turbine inlet evaporative cooler blow down, water treatment system reject, and plant drains;
- Reduction in the length of the Approved Project sewer pipeline which will now interconnect with an existing city of Palmdale sewer pipeline along the south side of East Avenue M;
- Change in the water steam cycle chemistry control system from a phosphate based system to an all volatile system; and Possible change from a CO₂ based fire suppression system for some components to an FM200 based system.”
(PTA at pp. 3-6 – 3-8.)

Environmental Justice is Not Addressed

There major environmental justice concern – air quality impacts- are not addressed in any fashion. While admitting that the PEP would be in the backyard of a significant environmental justice community, over and over staff concludes that there will be no impact to this community. i.e. “Staff concludes that PEP would not have an impact to an impact to an environmental justice population or a cumulatively considerable impact on recycled water supplies, and that the use of recycled water for the project’s process water needs would not cause a significant adverse environmental impact or adversely affect current or future users of recycled water. Therefore, staff does not recommend additional mitigation or analysis of the use of recycled water resources.” (PSA at p. 1-1.)

The only analysis regarding air quality is as follows: “Staff is continuing the development of CEQA mitigation measures to ensure the proposed Air Quality Conditions of Certification would include suitable mitigation to reduce the PEP’s direct and cumulative Air Quality impacts to a less than significant level, including impacts to the environmental justice population. Therefore, there would be no Air Quality environmental justice issues related to the PEP and no minority or low income populations would be significantly or adversely impacted.” (PSA at p. 4.1-69.)

At the same time, in reference to pollutants including ozone and PM₁₀ those known to be highly hazardous to human health especially for those in vulnerable populations, the PSA concludes: “Currently, the proposed emission controls and emission levels, along with the project owner proposed and staff recommended emission offset package, has not demonstrated the project

would be fully mitigated to impacts to less than significant as required by CEQA.” (PSA at p. 4.1-63.)

Clearly, an genuine analysis of the health impacts on environmental justice communities has not been completed and the PSA should be redrafted once this has been accomplished.

Supplement environmental review is not in compliance with CEQA

Staff claims that most areas of impacts will not be impacted by a 23% larger entirely gas fired plant than the PHPP:

“In accordance with California Environmental Quality Act (CEQA) Guidelines section 15162, staff concludes that supplementation to the 2011 Decision for the PHPP is necessary for Cultural Resources, and Air Quality. Supplementation is not necessary for Biological Resources, Hazardous Materials Management, Land Use, Noise and Vibration, Public Health, Socioeconomics, Soil and Water Resources, Traffic and Transportation, Transmission Line Safety and Nuisance, Visual Resources, Waste Management, Worker Safety and Fire Protection, Facility Design, Geology and Paleontology, Power Plant Efficiency, Power Plant Reliability, and Transmission System Engineering.” (PSA at p. 1-5.)

Given the great increase in emissions known to be harmful to public and environmental health, the staff’s conclusions here are entirely unsupportable. Pursuant to CEQA, all significant impacts of this application for a totally new project needs to be fully analyzed and the Commission cannot evade CEQA review simply by labeling this project “an amendment.”

The Issuance of the PSA at this time is Premature and it thus Fails to Provide the Public Needed Information

The Center appreciates that the staff had indicated that the AVAQMD needs to issue a new PDOC in line with the EPA’s comments regarding the complete insufficiency of the proposed PDOC and agreed with the staff conclusion that “Staff has determined that additional information is needed to determine if adequate offsets are available to mitigate the PEP after the proposed offset is adjusted. . . Currently, the proposed emission controls and emission levels, along with the project owner proposed and staff recommended emission offset package, has not demonstrated the project would be fully mitigated to impacts to less than significant as required by CEQA.” (PSA at p. 4.1-63.)

At the same time, the staff concludes, “Staff agrees with the majority of the District proposed District Permit Conditions to be included in the Air Quality Conditions of Certification but recommends some additional clarification and language changes.” (PSA 4.1-54)

Given the staff's acknowledgment that the PDOC needs to be reissued, despite its unexplained statement that it also apparently concurs with "the majority" of the PDOC, issuance of the PSA at this time is premature. Since there is not currently a PDOC that complies with the law, the Staff cannot and has not offered accurate or adequate information as to air quality impact of this project as this is reliance upon AVAQMD analysis and PDOC conditions. Because this is bigger plant with 23% more capacity and now entirely gas fired there is no question that there will be drastically greater air quality impacts and the PSA documents an unsettling increase in emission:

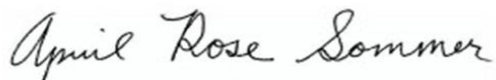
"When considering the potential secondary formation of particulate matter and ozone, mitigation for emissions of PM10, SOx, NOx, and VOC would be appropriate for reducing project impacts." (PSA at p. 4-1.43)

"Staff recommends mitigation for construction emissions of PM10, SOx, NOx, and VOC would be appropriate for reducing impacts to PM10 and ozone precursors." (PSA at p. 4-1.35)

"The PEP would result in an increase in annual emissions of NOx, VOCs, SOx, and CO over the approved PHPP project. (PSA at p. 4-1.21)

The PSA, therefore, provides insufficient and inadequate information or analysis as to the potentially greatest environmental impact of this project and should be redrafted after an updated PDOC is issued so that the public is not deprived of its opportunity to comment on the documented air quality impacts and permit conditions.

Sincerely,



April Rose Sommer
Staff Attorney
Center for Biological Diversity