

DOCKETED

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**Russell City Energy Center
01-AFC-7C**

Monthly Compliance Report

#37

August 1 – October 31 2013

1. Project Construction Status

The Russell City Energy Center was declared available for commercial operation at midnight on August 8, 2013. As of the end of the reporting period, the only remaining construction items are completion of various punch list items, modifications of the recycled water facility (due to the unforeseen circumstances, and completion of onsite and offsite landscaping activities. Open punchlist items were reduced from 1,500 to 400 during the reporting period.

Emissions testing was completed on August 3rd and 4th and September 11th and 12th. Temporary lay down area restoration is underway. The Chess property and the Tompkins property have been returned to the property owners. The City parcels are cleared and ready for final walk down with the City of Hayward in preparation for final turnover. Paving was completed for all plant roads except the south road, which is pending completion of the RWF system. Lighting is complete except for the RWF area. Insulation is nearly complete pending completion of the remaining punchlist items. Removal of construction equipment and supplies is ongoing. The temporary trailers for RCEC, CBO, GE, Siemens, and Bechtel startup have been removed from the site.

Final CBO inspections were conducted for all 58 of the permanent plant systems. At this time 49 areas have been approved and progress continues on the 9 remaining open areas. A 90 day extension was granted for the Temporary Certificate of Occupancy effective October 3, 2013. Bechtel and RCEC continue to work with the CBO to close out all remaining items related to issuance of the Final Certificate of Occupancy.

Cultural monitoring was conducted during the installation of onsite landscaping.

**Russell City Energy Center
01-AFC-7C**

2. Required Monthly Compliance Report documents

GEN-2	A copy of the most recent schedule is attached	AQ-SC3	A copy of the AQCMM provided by Bechtel report is attached
GEN-3	Email from CBO verifying payment during the report period is attached.	AQ-SC4	A copy of the AQCMM provided by Bechtel report is attached
GEN-6	N/A. No special inspectors approved during the reporting period	AQ-SC5	A copy of the AQCMM provided by Bechtel report is attached
GEN-7	N/A. There were no non-compliance issues during the reporting period.	AQ-1	N/A. No non-compliance issues during the reporting period. Commissioning period for this equipment ended in September
GEN-8	See monthly report provided by the Delegate CBO.	AQ-2	N/A. Applicable work not completed during the reporting period
CIVIL-3	N/A. There were no non-compliance issues during the reporting period.	AQ-3	N/A. Applicable work not completed during the reporting period
CIVIL-4	N/A. Applicable work not completed during the reporting period	AQ-4	N/A. Applicable work not completed during the reporting period
STRUC-3	N/A. Applicable work not completed during the reporting period	AQ-5	N/A. No non-compliance issues during the reporting period. Commissioning period for this equipment ended in September
STRUC-4	N/A. Applicable work not completed during the reporting period	AQ-6	N/A. Applicable work not completed during the reporting period
MECH-1	N/A. Applicable work not completed during the reporting period	AQ-7	Notice of unused balance of 300 hours without abatement attached
ELEC-1	N/A. Applicable work not completed during the reporting period	AQ-8	Notice of unused balance of 300 hours without abatement attached
BIO-2	A copy of the Designated Biologist's report is attached	AQ-9	N/A. No non-compliance issues during the reporting period. Commissioning period for this equipment ended in September
BIO-5	No WEAP training was conducted during the reporting period.	AQ-10	N/A. No non-compliance issues during the reporting period. Commissioning period for this equipment ended in September
SW-1	A narrative DESCPE effectiveness is attached.	CUL-6	A copy of the Cultural Resource Specialist's report is attached
CUL-2	N/A. Changes to the phases of ground disturbance were not made during the reporting period.	PAL-3	No WEAP training was conducted during the reporting period.
CUL-4	No WEAP training was conducted during the reporting period.		

**Russell City Energy Center
01-AFC-7C**

3. Compliance Matrix

A copy of the compliance matrix is attached.

4. Conditions satisfied during the reporting period

Ongoing approvals were issued by the CBO for submittals made in accordance with various AQ, STRUC, MECH, and GEN conditions.

5. Submittal deadlines not met

This MCR covers the reporting period for August, September, and October 2013.

6. Approved condition of certification changes

- A request for amendment of the license was submitted on November 19, 2009. Amendment #2 was approved by the Commission on August 11, 2010.
- A change to the verification language of LAND-1 was submitted to the CPM on April 4, 2010 and approved by staff on April 30, 2010.
- A change to the verification language of SOIL&WATER-8 was submitted to the CPM on August 18, 2010 and approved by staff on August 24, 2010.
- A request for amendment of the license was submitted on May 24, 2012. Amendment #3 was approved by the Commission on July 9, 2012.
- A request for amendment of the license was submitted on November 8, 2012. Amendment #4 was approved by the Commission on May 8, 2013.

7. Filings or permits from other agencies

The Bay Air Quality Management District issued an extension to the Russell City Energy Center's Authority to Construct Permit effective October 30, 2013.

**Russell City Energy Center
01-AFC-7C**

8. Projection of compliance activities for November 2013 – December 2013

GEN-1	Certification of occupancy expected to be issued.
GEN-2	Schedule will be updated monthly
GEN-3	CBO payments will be submitted monthly
AQ-45	Cooling tower emissions testing is scheduled to occur in November 2013
VIS-2	Onsite landscaping expected to be completed.
VIS-10	Offsite landscaping and implementation of the visual mitigation expected to be completed.

9. Additions to the on-site compliance file

Fugitive Dust Monitoring Log
Diesel Engine Inventory Log
CRS reports

10. Listing of complaints, notices of violations, official warnings and citations

None received during the reporting period.

**Russell City Energy Center
01-AFC-7C**

**CONDITION OF CERTIFICATION
GEN-2**

**Russell City Energy Center
Monthly Compliance Report #37
October 2013**

**RUSSELL CITY ENERGY CENTER
01-AFC-7C
CBO Submittal List**

COC Number	Package Number	Rev	Description	Scheduled to CBO	Submitted to CBO	Status	Approved by CBO
STRUC-4	MT01		RWF Mixing Tank	10/31/13			
STRUC-1	SS7103	0	RWF Tank Support Structure		11/06/13		
STRUC-1	SS7101	3	RWF Piperack Structural Steel	11/07/13			
STRUC-1	DB7103	3	RWF Clarifier and Filter Foundation		11/06/13		
STRUC-1	DB7104	2	RWF Chemical Storage Area Design Calculation and Drawing		11/06/13		
MECH-1	MX16	7	Site Plan, Map and Layout		08/15/13	TRB issued comments on 10/01/13	
MECH-1	MX18	3	LPCO2 / Dry Chem Test Procedure		10/24/13	TRB issued approval	10/25/13
MECH-1	GEW03	1	Engineered Supports		07/09/13	TRB issued comments on 07/30/13	
MECH-1	SE16	5	American Fire Co. Bill of Material		11/04/13		
STRUC-4	GEW02	1	Sodium Hydroxide Tank		11/06/13		
STRUC-4	JM02	3	Ammonia chemical feed – mechanical layout		08/01/13	TRB issued approval	10/28/13
STRUC-4	JM05	1	Ammonia Day Tank		10/23/13	TRB issued approval	10/25/13
STRUC-4	REC01	2	Circulating Water Sulfuric Acid Tank		08/01/13	TRB issued approval	10/25/13
CIVIL-1	1CE01	4	Storm Water Main Basin Sizing		10/03/13	TRB issued reviewed for reference	10/25/13
CIVIL-1	CS101	12	Finish Grading Plan		10/07/13	TRB issued comments on 10/24/13	
STRUC-2	SIG0003	0	Signet Inspection Report		10/04/13	TRB issued reviewed for reference	10/25/13
STRUC-2	SIG0004	0	Signet Inspection Report		10/09/13	TRB issued reviewed for reference	10/25/13

**Russell City Energy Center
01-AFC-7C**

**CONDITION OF CERTIFICATION
GEN-3**

**Russell City Energy Center
Monthly Compliance Report #37
October 2013**

From: [Todd R. Bailey](#)
To: [Lauren Bresnahan](#)
Subject: RE: Russell City Energy Center
Date: Monday, November 11, 2013 8:38:28 AM
Attachments: [image001.png](#)

Confirming receipt of a payment for Delegate CBO services during the Month of October 2013

Thank you

Todd Bailey, P.E., LEED AP
TRB + Associates, Inc.
3180 Crow Canyon Place, Suite 216
San Ramon, CA 94583
ph: (925) 866-2633
fx: (925) 790-0011
tbailey@trbplus.com

This e-mail (and any attachments) is intended only for the addressee(s), and may be confidential. If you received this message in error, please notify the sender, then delete it.

From: Lauren Bresnahan [mailto:Lauren.Bresnahan@calpine.com]
Sent: Saturday, November 09, 2013 3:42 PM
To: tbailey@trbplus.com
Subject: Russell City Energy Center

Todd,

Would you please confirm payment for Delegate CBO services was received during the month of October 2013?

Regards,

LAUREN BRESNAHAN

ENVIRONMENTAL HEALTH AND SAFETY SPECIALIST

RUSSELL CITY ENERGY CENTER

CALPINE CORPORATION

Office: (510) 731-1407

Cell: (954) 812-4261

Email: Lauren.Bresnahan@calpine.com



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**Russell City Energy Center
01-AFC-7C**

**CONDITION OF CERTIFICATION
AQ-SC3 and AQ-SC4**

**Russell City Energy Center
Monthly Compliance Report #37
October 2013**



RCEC PROJECT

ATTACHMENT A _ FUGITIVE DUST LOG

Condition of Certification AQ-SC3 & AQ-SC4

	MONTH:	August	YEAR:	2013		Material Stock Pile Treatment		Roadways — Water Wagon/Street Sweeper in use		Contractor: Bechtel	
	Date	Time	Daily Low Ambient Temp °F	24 hr rainfall (inches)	Max 1 hr Wind Speed (mph)	Water Treatment Active Storage (Y/N)	Water Treatment Inactive Storage (Y/N)	Paved Roads (WW/SS)	Unpaved Roads (WW/SS)	Operator Initials	Comments, Equipment, Problems & Work Orders:
Thursday	1	: AM/PM						065	56	JK	SUNNY
Friday	2	: AM/PM						065	56	JK	SUNNY
Saturday	3	: AM/PM									
Sunday	4	: AM/PM									
Monday	5	: AM/PM						065		JK	SUNNY
Tuesday	6	: AM/PM						065		JK	SUNNY
Wednesday	7	: AM/PM						065		JK	SUNNY
Thursday	8	: AM/PM						065		JK	SUNNY
Friday	9	: AM/PM						065		JK	SUNNY
Saturday	10	: AM/PM									
Sunday	11	: AM/PM									
Monday	12	: AM/PM									
Tuesday	13	: AM/PM						"			
Wednesday	14	: AM/PM						"			

	Date	Time	Daily Low Ambient Temp °F	24 hr rainfall (Inches)	Max 1 hr Wind Speed (mph)	Water Treatment Active Storage (Y/N)	Water Treatment Inactive Storage (Y/N)	Paved Roads (WW/SS)	Unpaved Roads (WW/SS)	Operator Initials	Comments, Equipment, Problems & Work Orders:
Thursday	15	: AM/PM						065			SUNNY
Friday	16	: AM/PM						065			SUNNY
Saturday	17	: AM/PM									
Sunday	18	: AM/PM									
Monday	19	: AM/PM						065		JA	SUNNY
Tuesday	20	: AM/PM						065		JA	SUNNY
Wednesday	21	: AM/PM						065		JA	SUNNY
Thursday	22	: AM/PM						065		JA	SUNNY
Friday	23	: AM/PM									SUNNY
Saturday	24	: AM/PM									
Sunday	25	: AM/PM									
Monday	26	: AM/PM									
Tuesday	27	: AM/PM									
Wednesday	28	: AM/PM									
Thursday	29	: AM/PM									
Friday	30	: AM/PM									
Saturday	31	: AM/PM									

1. WW - Water Wagon, SS Street Sweeper

Source of Weather Data : Rain - _____ WIND: _____ TEMPERATURE - _____ SUPERVISOR REVIEW _____ Return sheet to CEL

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**Russell City Energy Center
01-AFC-7C**


**CONDITION OF CERTIFICATION
AQ-SC5**

**Russell City Energy Center
Monthly Compliance Report #37
October 2013**

RCEC PROJECT
DIESEL ENGINE INVENTORY
Condition of Certification

Equipment Identification Number (EIN)	Vehicle Type	Vehicle Manufacture	Vehicle Model	Vehicle Model Year / Engine Model Year	Engine HP	>100 HP Compliance w/ ARB Tier 2 Engine	> 100 HP Compliance w/ ARB Tier 1 Engine	> 100 HP Compliance w/ ARB Tier 0 Engine w/ carb	Date Arrived on Site	Date Removed from Site
R006180242	185 Air Compressor	JLG IND	G10-55A	2010 ENGINE / MODEL YR 2010	80	X			10/1/2013	
R208157014	CRANE CARRYDECK	Broderson	IC200	2007 ENGINE / MODEL YR 2007	110	X			6/11/2013	
XB5E44	Forklift	Terex	GTH-5519	2012 ENGINE / MODEL YR 2012	67	X			9/16/2013	
RH8T96	CRANE	Terex	RT665	2005 ENGINE / MODEL YR 2005	215	X			11/12/2013	
R934416	Forklift	SKYTRAK	10054	2006 ENGINE / MODEL YR 2006	110	X			9/16/2013	
R10167758	LOADER SKIDSTEER	Bobcat	T550	2012 ENGINE / MODEL YR 2012	60/75	X			7/17/2013	
8455	Welder	Miller	400D	2011 ENGINE / MODEL YR 2011	75	X			5/15/2013	
	Aerial Lifts/80FT	SkyPower	8005	2008 ENGINE / MODEL YR 2008	65	X			11/1/2013	
WV4P64	Aerial Lifts/135FT	Genie	Z135	2012 ENGINE / MODEL YR 2011	87	X			4/16/2012	
	Skip Loader	Deere	210K	2011 ENGINE / MODEL YR 2011	70	X			9/22/2013	
KA9A78	Blader	Caterpillar	140H	2010 ENGINE / MODEL YR 2010	185	X			11/4/2013	

CERTIFICATION: All engines listed above have been maintained properly on schedule consistent with the engine manufacture specification.

SIGNED:  PRINT NAMES: Melvin Anderson
 MONTH: November 2013

**Russell City Energy Center
01-AFC-7C**

**CONDITION OF CERTIFICATION
BIO-2**

**Russell City Energy Center
Monthly Compliance Report #37
October 2013**

Russell City Energy Center

MONTHLY BIOLOGICAL COMPLIANCE REPORT

August 2013

BIO-2: The Designated Biologist shall perform the following during any site (or related facilities) mobilization, ground disturbance, grading, construction, operation, and closure activities:

1. Advise the project owner's Construction/Operation Manager, supervising construction and operations engineer on the implementation of the biological resources conditions of certification;
2. Be available to supervise or conduct mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as wetlands and special status species or their habitat;
3. Clearly mark sensitive biological resource areas and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions;
4. Inspect active construction areas where animals may have become trapped prior to construction commencing each day. Inspect for the installation of structures that prevent entrapment or allow escape during periods of construction inactivity at the end of the construction day. Periodically inspect areas with high vehicle activity (parking lots) for animals in harms way. This inspection may be carried out by a person with qualifications in biological resources who is identified and selected by the Designated Biologist;
5. Notify the project owner and the CPM of any non-compliance with any biological resources condition of certification; and
6. Respond directly to inquiries of the CPM regarding biological resource issues.

Verification: The Designated Biologist shall maintain written records of the tasks described above, and summaries of these records shall be submitted in the Monthly Compliance Reports. During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report.

Biological Resource Monitoring. During the month of August, construction activities were associated with completion of the power plant facility, testing and commissioning, and site restoration. As part of restoration, equipment and materials continued to be removed from the construction site including the temporary laydown areas. Biological monitoring was completed by CH2M HILL Designated Biologist Todd Ellwood with the assistance of biological monitor Chris Terry. During the winter months (October 1 to February 28), monitoring occurred on a monthly basis. Starting in March, monitoring was reverted back to weekly site visits and continued as such until project completion in August 2013. Ms. Terry conducted weekly visits on August 1, 9, and 15. Mr. Ellwood conducted the August 23 weekly visit during which time it was noted that site activities were focused on the completion of site construction. At all other times during the month both the Designated Biologist and Biological Monitor were on call. With the final stages of construction being observed, the Designated Biologist deemed it appropriate to end weekly site visits on August 23. The contractor achieved substantial completion of the construction project on August 7, 2013. No nesting birds or other biological issues (for example, entrapped, injured

or dead wildlife) associated with the project were observed or reported during August 2013. A complete list of wildlife species observed to date is included in Table A.

Final paving of the main site is complete with the exception of the south road. Final paving of the south road is expected to be completed in the early months of 2014 once modifications to the Recycled Water Facility are complete. Onsite landscaping will be completed in November 2013. During this period, in accordance with BIO-2, the Designated Biologist will remain in contact with Calpine and monitoring will be conducted as needed, after which the final construction compliance report for biological resources will be prepared and submitted within 90 days of completion of final restoration, paving, and landscaping.

Russell City Energy Center

MONTHLY BIOLOGICAL COMPLIANCE REPORT

September 2013

BIO-2: The Designated Biologist shall perform the following during any site (or related facilities) mobilization, ground disturbance, grading, construction, operation, and closure activities:

1. Advise the project owner's Construction/Operation Manager, supervising construction and operations engineer on the implementation of the biological resources conditions of certification;
2. Be available to supervise or conduct mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as wetlands and special status species or their habitat;
3. Clearly mark sensitive biological resource areas and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions;
4. Inspect active construction areas where animals may have become trapped prior to construction commencing each day. Inspect for the installation of structures that prevent entrapment or allow escape during periods of construction inactivity at the end of the construction day. Periodically inspect areas with high vehicle activity (parking lots) for animals in harms way. This inspection may be carried out by a person with qualifications in biological resources who is identified and selected by the Designated Biologist;
5. Notify the project owner and the CPM of any non-compliance with any biological resources condition of certification; and
6. Respond directly to inquiries of the CPM regarding biological resource issues.

Verification: The Designated Biologist shall maintain written records of the tasks described above, and summaries of these records shall be submitted in the Monthly Compliance Reports. During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report.

Biological Resource Monitoring. As part of restoration, equipment and materials continued to be removed from the construction site including the temporary laydown areas. Biological monitoring was overseen by CH2M HILL Designated Biologist Todd Ellwood with the assistance of biological monitor Chris Terry. During the winter months (October 1 to February 28), monitoring occurred on a monthly basis. Starting in March, monitoring was reverted back to weekly site visits and continued as such until August 2013. The contractor achieved substantial completion of the construction project on August 7, 2013. With the final stages of construction being observed, the Designated Biologist deemed it appropriate to end weekly site visits on August 23.

During the month of September, construction activities were associated with site restoration and modifications to the Recycled Water Facility. No site visits were conducted in September 2013 due to the lack of substantial construction activities. Both the Designated Biologist and Biological Monitor were on call throughout the month of September.

Final paving of the main site is complete with the exception of the south road. Final paving of the south road is expected to be completed in the early months of 2014 once modifications to the Recycled Water Facility are complete. Onsite landscaping will be completed in November 2013. During this period, in accordance with BIO-2, the Designated Biologist will remain in contact with Calpine and monitoring will be conducted as needed, after which the final construction compliance report for biological resources will be prepared and submitted within 90 days of completion of final restoration, paving, and landscaping.

A complete list of wildlife species observed to date is included in Table A.

Russell City Energy Center

MONTHLY BIOLOGICAL COMPLIANCE REPORT

October 2013

BIO-2: The Designated Biologist shall perform the following during any site (or related facilities) mobilization, ground disturbance, grading, construction, operation, and closure activities:

1. Advise the project owner's Construction/Operation Manager, supervising construction and operations engineer on the implementation of the biological resources conditions of certification;
2. Be available to supervise or conduct mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as wetlands and special status species or their habitat;
3. Clearly mark sensitive biological resource areas and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions;
4. Inspect active construction areas where animals may have become trapped prior to construction commencing each day. Inspect for the installation of structures that prevent entrapment or allow escape during periods of construction inactivity at the end of the construction day. Periodically inspect areas with high vehicle activity (parking lots) for animals in harms way. This inspection may be carried out by a person with qualifications in biological resources who is identified and selected by the Designated Biologist;
5. Notify the project owner and the CPM of any non-compliance with any biological resources condition of certification; and
6. Respond directly to inquiries of the CPM regarding biological resource issues.

Verification: The Designated Biologist shall maintain written records of the tasks described above, and summaries of these records shall be submitted in the Monthly Compliance Reports. During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report.

Biological Resource Monitoring. As part of restoration, equipment and materials continued to be removed from the construction site including the temporary laydown areas. Biological monitoring was overseen by CH2M HILL Designated Biologist Todd Ellwood with the assistance of biological monitor Chris Terry. During the winter months (October 1 to February 28), monitoring is scheduled to occur on a monthly basis. Starting in March 2013, monitoring was reverted back to weekly site visits and continued as such until August 2013. The contractor achieved substantial completion of the construction project on August 7, 2013. With the final stages of construction being observed, the Designated Biologist deemed it appropriate to end weekly site visits on August 23, 2013.

During the month of October, construction activities were associated with site restoration and modifications to the Recycled Water Facility. No site visits were conducted in October 2013 due to the lack of substantial construction activities. Both the Designated Biologist and Biological Monitor were on call throughout the month of October.

Final paving of the main site is complete with the exception of the south road. Final paving of the south road is expected to be completed in the early months of 2014 once modifications to the Recycled Water Facility are complete. Onsite landscaping will be completed in November 2013. During this period, in accordance with BIO-2, the Designated Biologist will remain in contact with Calpine and monitoring will be conducted as needed, after which the final construction compliance report for biological resources will be prepared and submitted within 90 days of completion of final restoration, paving, and landscaping.

A complete list of wildlife species observed to date is included in Table A.

Table A**Cumulative Wildlife Species Observed in or Near the Russell City Energy Center**

Common Name	Scientific Name	Comments
BIRDS		
American coot	<i>Fulica americana</i>	Common around project site – two dead individuals observed on site
American crow	<i>Corvus brachyrhynchos</i>	Common in and around project areas
American white pelican	<i>Pelecanus erythrorhynchos</i>	Observed flying overhead southwest of site
Anna’s hummingbird	<i>Calypte anna</i>	Observed along fences at the Runnels and Chess laydown areas
Barn swallow	<i>Hirundo rustica</i>	One individual observed at project site
Black phoebe	<i>Sayornis nigricans</i>	Observed perched on fence at Laydown Area 2 and around project site
Black-neck stilt	<i>Himantopus mexicanus</i>	Observed in open stormwater channel west of RCEC site
Brewer’s blackbird	<i>Euphagus cyanocephalus</i>	Common along western fence line of project site.
Brown-headed cowbird	<i>Molothrus ater</i>	One individual observed along fence at Chess parcel.
Bushtit	<i>Psaltriparus minimus</i>	Observed in fennel at Laydown Area 3
California gull	<i>Larus californicus</i>	Common in and around project areas
California towhee	<i>Pipilo crissalis</i>	Observed on site and in Chess laydown area.
Canada goose	<i>Branta canadensis</i>	Observed in open stormwater channel west of RCEC site
Cinnamon teal	<i>Anas cyanoptera</i>	Observed in canal to southwest of project site
Cliff swallow	<i>Petrochelidon pyrrhonota</i>	Laydown area 1 and around project site
Cormorant	<i>Phalacrocorax</i> sp.	Few individuals observed in flight west of project site
Collared dove	<i>Streptopelia decaocto</i>	One individual observed along eastern fence line of project site
Cooper’s hawk	<i>Accipiter cooperii</i>	One individual observed flying overhead.
Dunlin	<i>Calidris alpina</i>	Observed at the project site.
European starling	<i>Sturnus vulgaris</i>	Observed on transmission tower at Laydown Area 3. An injured juvenile

Table A**Cumulative Wildlife Species Observed in or Near the Russell City Energy Center**

Common Name	Scientific Name	Comments
		observed on the site.
Great egret	<i>Casmerodius albus</i>	Flying near sediment ponds west of Depot Road
Gulls	<i>Larus</i> spp.	Common on and around the project site.
House finch	<i>Carpodacus mexicanus</i>	Common in ruderal vegetation in and around project area
Killdeer	<i>Charadrius vociferus</i>	Observed in project area
Mallard	<i>Anas platyrhynchos</i>	Observed in open stormwater channel west of RCEC site
Mourning dove	<i>Zenaida macroura</i>	Common on and around project site
Northern mockingbird	<i>Mimus polyglottos</i>	Observed on fence at Laydown Area 3
Northern shoveler	<i>Anas clypeata</i>	Observed in off-site drainage near southwestern corner of the site.
Common raven	<i>Corvus corax</i>	Observed on project site
Red-tailed hawk	<i>Buteo jamaicensis</i>	Observed overhead of project site
Red-winged blackbird	<i>Agelaius phoeniceus</i>	Few individuals observed west of project site
Ring-billed gull	<i>Larus delawarensis</i>	Common in and around project areas
Rock dove	<i>Columba livia</i>	Common in and around project areas
Snowy egret	<i>Egretta thula</i>	Individuals in and around project areas
Song sparrow	<i>Melospiza melodia</i>	Common in ruderal vegetation in and around project area
Turkey vulture	<i>Cathartes aura</i>	One observed overhead south of Runnels parcel
Western gull	<i>Larus occidentalis</i>	Common in and around project site.
Western sandpiper	<i>Calidris mauri</i>	Several individuals observed around edge of the stormwater detention pond
Western tanager	<i>Piranga ludoviciana</i>	Observed on fence at Laydown Area 3
White crowned sparrow	<i>Zonotrichia leucophrys</i>	Common along fences west side of project site
Yellow legs	<i>Tringa melanoleuca</i>	One individual observed around edge of the stormwater detention pond
Yellow-rumped warbler	<i>Setophaga coronata</i>	One individual observed along northern fence line near storm water retention

Table A**Cumulative Wildlife Species Observed in or Near the Russell City Energy Center**

Common Name	Scientific Name	Comments
		pond
MAMMALS		
Black-tailed Jackrabbit	<i>Lepus californicus</i>	Two individuals observed on project site. Relocated.
California ground squirrel	<i>Otospermophilus beecheyi</i>	Individuals observed within and adjacent to project site.
Feral cat	<i>Felix domesticus</i>	A single individual observed on the project site.
Gray fox	<i>Urocyon cinereoargenteus</i>	One individual observed near the storm water basin in the northwest corner of the project site during weekend work in January 2012. Potential sightings of this species entering stored piping within Laydown Yard #2.
Mice/Voles	<i>Microtus</i> spp.	Few individuals noted on site during clearing and grading activities.
Norway rat	<i>Rattus norvegicus</i>	One individual observed on project site.
Raccoon	<i>Procyon lotor</i>	Tracks observed only along east fence line.
Striped skunk	<i>Mephitis mephitis</i>	Two dead individuals observed on site. Several live skunks have been captured and removed from project site by USFWS.
Virginia opossum	<i>Didelphis virginiana</i>	Four juveniles found entrapped in a concrete vault on the main site. The individuals were relocated by the Biological Monitor to an offsite wetland area.
REPTILES		
Gopher snake	<i>Pituophis catenifer catenifer</i>	Observed caught in erosion mat netting around sediment pond - extricated and removed off site. One observed on east construction road was extricated and moved off site. Another individual observed dead on the main site near the stormwater basin.
Western fence lizard	<i>Sceloporus occidentalis</i>	Observed on site by Cultural Resource Monitors.

**Russell City Energy Center
01-AFC-7C**

**CONDITION OF CERTIFICATION
SOIL & WATER-1**

**Russell City Energy Center
Monthly Compliance Report #37
October 2013**

Russell City Energy Center Monthly Compliance Reports (MCRs) Construction

-

Soil & Water – 1

August 1 – October 31, 2013

Drainage, Erosion and Sediment Control Measures

Site wide final stabilization was ongoing and nearly complete with the exception of the areas where temporary water treatment equipment precludes completion. Incidental maintenance of erosion control measures was necessary during June due to weather conditions. The site wide placement of aggregate and final stabilization were essentially completed during the period.

Site Conditions and Weather

Seasonal conditions continued throughout the period as reported at Hayward Regional Airport.

Month	Average Temperatures		Rainfall	
	High	Low	Actual Total	Norm
August	72.7	56.9	Trace	0.04"
September	74.1	55.4	0.22"	0.32"
October	69.3	49.2	0.0"	1.0"

Rain Events:

- August 7 – trace amount
- September 21 – 0.22 inches
- September 30 – trace amount

Monitoring and Maintenance Activities

The project continued SWPPP requirements for Risk Levels II including weekly SWPPP inspection and monitoring of the areas considered to remain in construction (primarily the RWF area).

**Russell City Energy Center
01-AFC-7C**

**CONDITION OF CERTIFICATION
CUL-6
Russell City Energy Center
Monthly Compliance Report #37
October 2013**

Monthly Report of Cultural Resources Monitoring Activities for the Russell City Energy Center Project for October 2013; COC CUL-6

Prepared For: Karen Parker, RCEC Project Manager
Prepared By: Clint Helton/RCEC CRS
Reporting For Period: October 2013

This report covers cultural resources monitoring activities at the Russell City Energy Center project for the month of October 2013, as required by Condition of Certification CUL-6.

Personnel Active in Cultural Monitoring This Period

CRS Clint Helton and CRM Michelle Kaye were active this month.

Monitoring and Associated Activities This Period

CRM Michelle Kaye observed installation of final landscaping by contractor Valley Crest on October 28, 29, 30 and 31. Activities consisted primarily of hand and mechanical (using a Barreto 1324-TK hydraulic trencher) trenching for various irrigation lines. The trenches observed were generally 1-2 feet wide and up to 18 inches deep. Soils were generally undisturbed.

Cultural Resources Discoveries This Period

None.

Anticipated Changes in the Next Period

Completion of trenching and installation of plantings, constituting the final monitorable activity at RCEC, is expected to be complete within the next two weeks. The CRM will complete monitoring of this activity and the CRS will remain on-call to respond to discoveries if they occur.

It is anticipated that the last monthly monitoring report will be for the month of November, after which preparation of the final Cultural Resources Report will be initiated and completed within 90 days.

Comments, Issues or Concerns

None.

**Russell City Energy Center
01-AFC-7C**

**CONDITION OF CERTIFICATION
AQ-7 and AQ-8
Russell City Energy Center
Monthly Compliance Report #37
October 2013**

September 20, 2013

Brian Lusher
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

RE: Russell City Energy Center Permit Number 18136
Condition #7 and #8: Notice of unused balance of 300 hours without abatement

Dear Mr. Lusher:

In accordance with Conditions Number 7 and 8 of the Authority to Construct for the Russell City Energy Center, this letter shall serve as notification of the unused balance of the 300 hours of unabatement for each power train during the commissioning period. The activities contemplated to be included in these 300 hours were completed on August 8, 2013.

Unit 1 – used 202.5 hours – unused 97.5 hours
Unit 2 – used 270.1 hours – unused 29.9 hours

If there are any questions, please contact me at (510) 731-1407.

Sincerely,



Lauren Bresnahan
Environmental Health and Safety Specialist
Russell City Energy Center

**Russell City Energy Center
01-AFC-7C**

**CONDITION OF CERTIFICATION
COMPLIANCE-5
Compliance Matrix**

**Russell City Energy Center
Monthly Compliance Report #37
October 2013**

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
COMPLIANCE	1	All		Unrestricted Access	The CPM, responsible Energy Commission staff, and delegate agencies or consultants shall be guaranteed and granted unrestricted access to the power plant site, related facilities, project-related Staff, and the records maintained on site, for the purpose of conducting audits, surveys, inspections, or general site visits. Although the CPM will normally schedule site visits on dates and times agreeable to the project owner, the CPM reserves the right to make unannounced visits at any time.	N/A	N/A	N/A	N/A	Ongoing
COMPLIANCE	2	All		Compliance Record	The project owner shall maintain project files onsite or at an alternative site approved by the CPM for the life of the project unless a lesser period of time is specified by the conditions of certification. The files shall contain copies of all "as-built" drawings, all documents submitted as verification for conditions, and all other project-related documents. Energy Commission staff and delegate agencies shall, upon request to the project owner, be given unrestricted access to the files.	N/A	N/A	N/A	N/A	Ongoing
COMPLIANCE	3	All		Compliance Verification Submittals	Each condition of certification is followed by a means of verification. The verification describes the Energy Commission's procedure(s) to ensure postcertification compliance with adopted conditions. The verification procedures, unlike the conditions, may be modified as necessary by the CPM, and in most cases without full Energy Commission approval. A cover letter from the project owner or authorized agent is required for all compliance submittals and correspondence pertaining to compliance matters. The cover letter subject line shall identify the involved condition(s) of certification by condition number and include a brief description of the subject of the submittal. The project owner shall also identify those submittals not required by a condition of certification with a statement such as: "This submittal is for information only and is not required by a specific condition of certification." When submitting supplementary or corrected information, the project owner shall reference the date of the previous submittal.	N/A	N/A	N/A	N/A	Ongoing
COMPLIANCE	5	All	Annual	Compliance Matrix	A compliance matrix shall be submitted by the project owner to the CPM along with each monthly and annual compliance report. The compliance matrix is intended to provide the CPM with the current status of all conditions of certification in a spreadsheet format. The compliance matrix must identify: 1. the technical area; 2. the condition number; 3. a brief description of the verification action or submittal required by the condition; 4. the date the submittal is required (e.g., 60 days prior to construction, after final inspection, etc.); 5. the expected or actual submittal date; 6. the date a submittal or action was approved by the Chief Building Official (CBO), CPM, or delegate agency, if applicable; and 7. the compliance status of each condition, e.g., "not started," "in progress" or "completed" (include the date). Satisfied conditions do not need to be included in the compliance matrix after they have been identified as satisfied in at least one monthly or annual compliance report.	N/A	N/A	N/A	N/A	Ongoing
COMPLIANCE	6	Constr	Monthly	Monthly Compliance Report	The first Monthly Compliance Report is due one month following the Energy Commission business meeting date upon which the project was approved, unless otherwise agreed to by the CPM. The first Monthly Compliance Report shall include an initial list of dates for each of the events identified on the Key Events List. During pre-construction and construction of the project, the project owner or authorized agent shall submit an original and eight copies of the Monthly Compliance Report within 10 working days after the end of each reporting month. The reports shall contain, at a minimum: 1. a summary of the current project construction status, a revised/updated schedule if there are significant delays, and an explanation of any significant changes to the schedule; 2. documents required by specific conditions to be submitted along with the Monthly Compliance Report. Each of these items must be identified in the transmittal letter, and submitted as attachments to the Monthly Compliance Report; 3. an initial, and thereafter updated, compliance matrix showing the status of all conditions of certification (fully satisfied conditions do not need to be included in the matrix after they have been reported as completed); 4. a list of conditions that have been satisfied during the reporting period, and a description or reference to the actions that satisfied the condition; 5. a list of any submittal deadlines that were missed, accompanied by an explanation and an estimate of when the information will be provided; 6. a cumulative listing of any approved changes to conditions of certification; 7. a listing of any filings submitted to, or permits issued by, other governmental agencies during the month; 8. a projection of project compliance activities scheduled during the next two months. The project owner shall notify the CPM as soon as any changes are made to the project construction schedule that would affect compliance with conditions of certification; 9. a listing of the month's additions to the on-site compliance file; and 10. a listing of complaints, notices of violation, official warnings, and citations received during the month, a description of the resolution of the resolved actions, and the status of any unresolved actions.	10	After end of the reporting period	9/15/2010	N/A	Ongoing

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
COMPLIANCE	7	Ops	Annual	Annual Compliance Report	After construction is complete, the project owner shall submit Annual Compliance Reports instead of Monthly Compliance Reports. <u>The reports are for each year of commercial operation and are due to the CPM each year at a date agreed to by the CPM.</u> Annual Compliance Reports shall be submitted over the life of the project unless otherwise specified by the CPM. Each Annual Compliance Report shall identify the reporting period and shall contain the following: 1. an updated compliance matrix showing the status of all conditions of certification (fully satisfied conditions do not need to be included in the matrix after they have been reported as completed); 2. a summary of the current project operating status and an explanation of any significant changes to facility operations during the year; 3. documents required by specific conditions to be submitted along with the Annual Compliance Report. Each of these items must be identified in the transmittal letter, and submitted as attachments to the Annual Compliance Report; 4. a cumulative listing of all post-certification changes approved by the Energy Commission or cleared by the CPM; 5. an explanation for any submittal deadlines that were missed, accompanied by an estimate of when the information will be provided; 6. a listing of filings submitted to, or permits issued by, other governmental agencies during the year; 7. a projection of project compliance activities scheduled during the next year; 8. a listing of the year's additions to the on-site compliance file; 9. an evaluation of the on-site contingency plan for unplanned facility closure, including any suggestions necessary for bringing the plan up to date [see Compliance Conditions for Facility Closure addressed later in this section]; and 10. a listing of complaints, notices of violation, official warnings, and citations received during the year, a description of the resolution of any resolved matters, and the status of any unresolved matters.	N/A	After end of the reporting period		N/A	Ongoing
COMPLIANCE	8	All	Quarterly	Confidential Information	Any information that the project owner deems confidential shall be submitted to the Energy Commission's Dockets Unit with an application for confidentiality pursuant to Title 20, California Code of Regulations, section 2505(a). Any information that is determined to be confidential shall be kept confidential as provided for in Title 20, California Code of Regulations, section 2501 et. seq.	N/A	N/A	N/A	N/A	Ongoing
COMPLIANCE	9	All		Annual Energy Facility Compliance Fee	Pursuant to the provisions of Section 25806(b) of the Public Resources Code, the project owner is required to pay an annual fee currently seventeen thousand six hundred seventy six dollars (\$17,676), which will be adjusted annually on July 1. The initial payment is due on the date the Energy Commission adopts the final decision. All subsequent payments are due by July 1 of each year in which the facility retains its certification. The payment instrument shall be made payable to the California Energy Commission and mailed to: Accounting Office, California Energy Commission, 1516 9th St., MS-2, Sacramento, CA 95814.	N/A	N/A	7/1/2001	N/A	Ongoing
COMPLIANCE	10	All			Any changes to the telephone number shall be submitted immediately to the CPM, who will update the web page. In addition to the monthly and annual compliance reporting requirements described above, the project owner shall report and provide copies to the CPM of all complaint forms, notices of violation, notices of fines, official warnings, and citations, within 10 days of receipt. Complaints shall be logged and numbered. Noise complaints shall be recorded on the form provided in the NOISE conditions of certification. All other complaints shall be recorded on the complaint form (Attachment A).	10	After receipt	N/A	N/A	Ongoing
COMPLIANCE	11	Closure		Planned Closure	In order to ensure that a planned facility closure does not create adverse impacts, a closure process that provides for careful consideration of available options and applicable laws, ordinances, regulations, standards, and local/regional plans in existence at the time of closure, will be undertaken. To ensure adequate review of a planned project closure, the project owner shall submit a proposed facility closure plan to the Energy Commission for review and approval at least 12 months (or other period of time agreed to by the CPM) prior to commencement of closure activities. The project owner shall file 120 copies (or other number of copies agreed upon by the CPM) of a proposed facility closure plan with the Energy Commission. The plan shall: 1. identify and discuss any impacts and mitigation to address significant impacts associated with proposed closure activities and to address facilities, equipment, or other project related remnants that will remain at the site; 2. identify a schedule of activities for closure of the power plant site, transmission line corridor, and all other appurtenant facilities constructed as part of the project; 3. identify any facilities or equipment intended to remain on site after closure, the reason, and any future use; and 4. address conformance of the plan with all applicable laws, ordinances, regulations, standards, and local/regional plans in existence at the time of facility closure, and applicable conditions of certification. Prior to submittal of the proposed facility closure plan, a meeting shall be held between the project owner and the Energy Commission CPM for the purpose of discussing the specific contents of the plan.	365	Prior to closure			Not Started

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
COMPLIANCE	14	All		Post Certification Changes to the Energy Commission Decision: Amendments, Ownership Changes, Insignificant Project Changes, and Verification Changes	The project owner must petition the Energy Commission pursuant to Title 20, California Code of Regulations, section 1769, in order to modify the project (including linear facilities) design, operation or performance requirements, and to transfer ownership or operational control of the facility. It is the responsibility of the project owner to contact the CPM to determine if a proposed project change should be considered a project modification pursuant to section 1769. Implementation of a project modification without first securing Energy Commission, or Energy Commission staff approval, may result in enforcement action that could result in civil penalties in accordance with section 25534 of the Public Resources Code. A petition is required for amendments and for insignificant project changes as specified below. For verification changes, a letter from the project owner is sufficient. In all cases, the petition or letter requesting a change should be submitted to the CPM, who will file it with the Energy Commission's Dockets Unit in accordance with Title 20, California Code of Regulations, section 1209.	N/A	N/A	N/A	N/A	Ongoing
GEN	1	Comm		The project owner shall design, construct and inspect the project in accordance with the 2001 California Building Code (CBC) and all other applicable engineering LORS in effect at the time initial design plans are submitted to the CBO for review and approval. (The CBC in effect is that edition that has been adopted by the California Building Standards Commission and published at least 180 days previously.) All transmission facilities (lines, switchyards, switching stations, and substations) are handled in Conditions of Certification in the Transmission System Engineering section of this document	Within 30 days after receipt of the Certificate of Occupancy, the project owner shall submit to the California Energy Commission Compliance Project Manager (CPM) a statement of verification, signed by the responsible design engineer, attesting that all designs, construction, installation and inspection requirements of the applicable engineering LORS and the Energy Commission Decision have been met in the area of facility design.	30	After receipt			Ongoing
GEN	1	Comm			The project owner shall provide the CPM a copy of the Certificate of Occupancy within 30 days of receipt from the CBO.	30	After receipt			Ongoing
GEN	2	Constr	Monthly		The project owner shall provide schedule updates in the Monthly Compliance Report.	N/A	N/A	Various	N/A	Ongoing
GEN	3	Constr	Monthly	The project owner shall make payments to the CBO for design review, plan check and construction inspection based upon a reasonable fee schedule to be negotiated between the project owner and the CBO. These fees may be consistent with the fees listed in the 2001 CBC [Chapter 1, Section 107 and Table 1-A, Building Permit Fees; Appendix Chapter 33, Section 3310 and Table A-33-A, Grading Plan Review Fees; and Table A-33-B, Grading Permit Fees], adjusted for inflation and other appropriate adjustments; may be based on the value of the facilities reviewed; may be based on hourly rates; or may be as otherwise agreed by the project owner and the CBO.	The project owner shall make the required payments to the CBO in accordance with the agreement between the project owner and the CBO. The project owner shall send a copy of the CBO's receipt of payment to the CPM in the next Monthly Compliance Report indicating that the applicable fees have been paid.	N/A	N/A	9/15/2010	N/A	Ongoing
GEN	4	Constr		If the RE or the delegated engineers are reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned engineer to the CBO for review and approval.	If the RE or the delegated engineer(s) are subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications, and registration number of the newly assigned engineer to the CBO for review and approval.	5	After proposed change	3/31/2011 (RK)	4/4/2011 (RK)	Ongoing
GEN	4	Constr		The project owner shall notify the CPM of the CBO's approval of the new engineer.	The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.	5	After approval	7/21/2011 (RK)	8/11/2011 (RK)	Ongoing
GEN	5	Constr		If any one of the designated responsible engineers is subsequently reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned responsible engineer to the CBO for review and approval.	If the designated responsible engineer is subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications, and registration number of the newly assigned engineer to the CBO for review and approval.	5	After proposed change			Ongoing
GEN	5	Constr		The project owner shall notify the CPM of the CBO's approval of the new engineer.	The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.	5	After approval			Ongoing
GEN	6	Constr	Monthly		The project owner shall also submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors in the next Monthly Compliance Report.	N/A	N/A	Various	N/A	Ongoing
GEN	6	Constr		Prior to the start of an activity requiring special inspection, the project owner shall assign to the project, qualified and certified special inspector(s) who shall be responsible for the special inspections required by the 2001 CBC, Chapter 17, Section 1701, Special Inspections, Section, 1701.5 Type of Work (requiring special inspection), and Section 106.3.5, Inspection and observation program. All transmission facilities (lines, switchyards, switching stations, and substations) are handled in Conditions of Certification in the Transmission System Engineering section of this document.	At least 15 days prior to the start of an activity requiring special inspection, the project owner shall submit to the CBO for review and approval, with a copy to the CPM, the name(s) and qualification of the certified weld inspector(s), or other certified special inspector(s) assigned to the project to perform one or more of the duties set forth above.	15	Prior to start of	Various	Various	Ongoing
GEN	6	Constr			If the special inspector is subsequently reassigned or replaced, the project owner has five days in which to submit the name and qualifications of the newly assigned special inspector to the CBO for approval.	5	After proposed change			Ongoing
GEN	6	Constr			The project owner shall notify the CPM of the CBO's approval of the newly assigned inspector within five days of the approval.	5	After approval			Ongoing
GEN	7	Constr	Monthly	The project owner shall keep the CBO informed regarding the status of engineering and construction. If any discrepancy in design and/or construction is discovered in any work that has undergone CBO design review and approval, the project owner shall document the discrepancy and recommend the corrective action required. The discrepancy documentation shall be submitted to the CBO for review and approval. The discrepancy documentation shall reference this Condition of Certification and, if appropriate, the applicable sections of the CBC and/or other LORS.	The project owner shall transmit a copy of the CBO's approval of any corrective action taken to resolve a discrepancy to the CPM in the next Monthly Compliance Report.	N/A	N/A		N/A	Ongoing
GEN	7	Constr			If any corrective action is disapproved, the project owner shall advise the CPM, within five days, of the reason for disapproval, and the revised corrective action to obtain CBO's approval.	5	After notification			Ongoing
GEN	8	Comm		The project owner shall obtain the CBO's final approval of all completed work that has undergone CBO design review and approval. The project owner shall request the CBO to inspect the completed structure and review the submitted documents. When the work and the "as-built" and "as graded" plans conform to the approved final plans, the project owner shall notify the CPM regarding the CBO's final approval. The marked up "as-built" drawings for the construction of structural and architectural work shall be submitted to the CBO. Changes approved by the CBO shall be identified on the "as-built" drawings [2001 CBC, Section 108, Inspections].	Within 15 days of the completion of any work, the project owner shall submit to the CBO, with a copy to the CPM in the next Monthly Compliance Report, (a) a written notice that the completed work is ready for final inspection, and (b) a signed statement that the work conforms to the final approved plans.	15	After completion			Ongoing
GEN	8	Comm		The project owner shall retain one set of approved engineering plans, specifications and calculations at the project site or at another accessible location during the operating life of the project [2001 CBC, Section 106.4.2, Retention of plans].	After storing final approved engineering plans, specifications and calculations as described above, the project owner shall submit to the CPM a letter stating that the above documents have been stored and indicate the storage location of such documents.	N/A	N/A			In Progress

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
STRUC	1	Constr		Prior to the start of any increment of construction of any major structure or component listed in Table 1 of Condition of Certification GEN-2, above, the project owner shall submit to the CBO for design review and approval the proposed lateral force procedures for project structures and the applicable designs, plans and drawings for project structures. Proposed lateral force procedures, designs, plans and drawings shall be those for the following items (from Table 1, above): 1. Major project structures; 2. Major foundations, equipment supports and anchorage; 3. Large field fabricated tanks; 4. Turbine/generator pedestal; and 5. Switchyard structures. Construction of any structure or component shall not commence until the CBO has approved the lateral force procedures to be employed in designing that structure or component.	At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of any increment of construction of any structure or component listed in Table 1 of Condition of Certification GEN-2, above the project owner shall submit to the CBO, with a copy to the CPM, the responsible design engineer's signed statement that the final design plans, specifications and calculations conform with all of the requirements set forth in the Energy Commission Decision.	30	Prior to start of any increment of	Various	Various	Ongoing
STRUC	1	Constr			If the CBO discovers non-conformance with the stated requirements, the project owner shall resubmit the corrected plans to the CBO within 20 days of receipt of the nonconforming submittal with a copy of the transmittal letter to the CPM.	20	After receipt			Ongoing
STRUC	1	Comm			The project owner shall submit to the CPM a copy of a statement from the CBO that the proposed structural plans, specifications, and calculations have been approved and are in conformance with the requirements set forth in the applicable engineering LORS.	N/A	N/A			Ongoing
STRUC	2	Constr		The project owner shall submit to the CBO the required number of sets of the following documents related to work that has undergone CBO design review and approval: 1. Concrete cylinder strength test reports (including date of testing, date sample taken, design concrete strength, tested cylinder strength, age of test, type and size of sample, location and quantity of concrete placement from which sample was taken, and mix design designation and parameters); 2. Concrete pour sign-off sheets; 3. Bolt torque inspection reports (including location of test, date, bolt size, and recorded torques); 4. Field weld inspection reports (including type of weld, location of weld, inspection of non-destructive testing (NDT) procedure and results, welder qualifications, certifications, qualified procedure description or number (ref. AWS); and 5. Reports covering other structural activities requiring special inspections shall be in accordance with the 2001 CBC, Chapter 17, Section 1701, Special Inspections, Section 1701.5, Type of Work (requiring special inspection), Section 1702, Structural Observation and Section 1703, Nondestructive Testing.	If a discrepancy is discovered in any of the above data, the project owner shall, within five days, prepare and submit an NCR describing the nature of the discrepancies to the CBO, with a copy of the transmittal letter to the CPM. The NCR shall reference the Condition(s) of Certification and the applicable CBC chapter and section.	5	After discovery			Ongoing
STRUC	2	Constr			Within five days of resolution of the NCR, the project owner shall submit a copy of the corrective action to the CBO and the CPM.	5	After resolution			Ongoing
STRUC	2	Constr			The project owner shall transmit a copy of the CBO's approval or disapproval of the corrective action to the CPM within 15 days.	15	After approval			Ongoing
STRUC	2	Constr			If disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval, and the revised corrective action to obtain CBO's approval.	5	After notification			Ongoing
STRUC	3	Constr	Monthly		The project owner shall notify the CPM, via the Monthly Compliance Report, when the CBO has approved the revised plans.	N/A	N/A			Ongoing
STRUC	3	Constr		The project owner shall submit to the CBO design changes to the final plans required by the 2001 CBC, Chapter 1, Section 106.3.2, Submittal documents, and Section 106.3.3, Information on plan and specifications, including the revised drawings, specifications, calculations, and a complete description of, and supporting rationale for, the proposed changes, and shall give the CBO prior notice of the intended filing.	On a schedule suitable to the CBO, the project owner shall notify the CBO of the intended filing of design changes, and shall submit the required number of sets of revised drawings and the required number of copies of the other above-mentioned documents to the CBO, with a copy of the transmittal letter to the CPM.	N/A	N/A			Ongoing
STRUC	4	Constr	Monthly		The project owner shall send copies of the CBO approvals of plan checks to the CPM in the following Monthly Compliance Report.	N/A	N/A	Various	Various	Ongoing
STRUC	4	Constr	Monthly		The project owner shall also transmit a copy of the CBO's inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection.	N/A	N/A	Various	Various	Ongoing
STRUC	4	Constr		Tanks and vessels containing quantities of toxic or hazardous materials exceeding amounts specified in Chapter 3, Table 3-E of the 2001 CBC shall, at a minimum, be designed to comply with Occupancy Category 2 of the 2001 CBC.	At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of installation of the tanks or vessels containing the above specified quantities of toxic or hazardous materials, the project owner shall submit to the CBO for design review and approval final design plans, specifications, and calculations, including a copy of the signed and stamped engineer's certification.	30	Prior to start of installation	Various	Various	Ongoing
CIVIL	2	Constr		The project owner shall obtain approval from the CBO before resuming earthwork and construction in the affected area [2001 CBC, Section 104.2.4, Stop orders].	Within five days of the CBO's approval to resume earthwork and construction in the affected areas, the project owner shall provide to the CPM a copy of the CBO's approval.	5	After approval			Ongoing
CIVIL	2	Constr		The resident engineer shall, if appropriate, stop all earthworks and construction in the affected areas when the responsible geotechnical engineer or civil engineer experienced and knowledgeable in the practice of soils engineering identifies unforeseen adverse soil or geologic conditions. The project owner shall submit modified plans, specifications and calculations to the CBO based on these new conditions.	The project owner shall notify the CPM, within five days, when earthwork and construction is stopped as a result of unforeseen adverse geologic/soil conditions.	5	After discovery			Ongoing
CIVIL	3	Constr	Monthly		A list of NCRs, for the reporting month, shall also be included in the following Monthly Compliance Report.	N/A	N/A			Ongoing
CIVIL	3	Constr		The project owner shall perform inspections in accordance with the 2001 CBC, Chapter 1, Section 108, Inspections, Chapter 17, Section 1701.6, Continuous and Periodic Special Inspection, and Appendix Chapter 33, Section 3317, Grading Inspection. All plant site grading operations for which a grading permit is required shall be subject to inspection by the CBO.	Within five days of the discovery of any discrepancies, the resident engineer shall transmit to the CBO and the CPM a Non-Conformance Report (NCR), and the proposed corrective action. A list of NCRs, for the reporting month, shall also be included in the following Monthly Compliance Report.	5	After discovery			Ongoing
CIVIL	3	Constr			Within five days of resolution of the NCR, the project owner shall submit the details of the corrective action to the CBO and the CPM.	5	After resolution			Ongoing
CIVIL	4	Comm	Monthly		The project owner shall submit a copy of this report to the CPM in the next Monthly Compliance Report.	N/A	N/A			In Progress

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
CIVIL	4	Comm		After completion of finished grading and erosion and sedimentation control and drainage facilities the project owner shall obtain the CBO's approval of the final "as-graded" grading plans, and final "as-built" plans for the erosion and sedimentation control facilities [2001 CBC, Section 109, Certificate of Occupancy].	Within 30 days of the completion of the erosion and sediment control mitigation and drainage facilities, the project owner shall submit to the CBO the responsible civil engineer's signed statement that the installation of the facilities and all erosion control measures were completed in accordance with the final approved combined grading plans, and that the facilities are adequate for their intended purposes.	30	After completion			Not Started
MECH	1	Constr	Monthly	Prior to the start of any increment of major piping or plumbing construction, the project owner shall submit, for CBO design review and approval, the proposed final design, specifications and calculations for each plant major piping and plumbing system listed in Table 1, Condition of Certification GEN 2, above. Physical layout drawings and drawings not related to code compliance and life safety need not be submitted. The submittal shall also include the applicable QA/QC procedures. Upon completion of construction of any such major piping or plumbing system, the project owner shall request the CBO's inspection approval of said construction [2001 CBC, Section 106.3.2, Submittal Documents, Section 108.3, Inspection Requests, Section 108.4, Approval Required; 2001 California Plumbing Code, Section 103.5.4, Inspection Request, Section 301.1.1, Approval].	At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of any increment of major piping or plumbing construction listed in Table 1, Condition of Certification GEN-2 above, the project owner shall submit to the CBO for design review and approval the final plans, specifications and calculations, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.	30	Prior to start of any increment of	Various	Various	Ongoing
MECH	1	Constr	Monthly		The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's inspection approvals.	N/A	N/A	Various	Various	Ongoing
MECH	2	Constr	Monthly		The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's and/or Cal-OSHA inspection approvals.	N/A	N/A	2/15/2012		Ongoing
ELEC	1	Constr	Monthly	Prior to the start of any increment of electrical construction for electrical equipment and systems 480 volts and higher, listed below, with the exception of underground duct work and any physical layout drawings and drawings not related to code compliance and life safety, the project owner shall submit, for CBO design review and approval, the proposed final design, specifications and calculations [CBC 2001, Section 106.3.2, Submittal documents]. Upon approval, the above listed plans, together with design changes and design change notices, shall remain on the site or at another accessible location for the operating life of the project. The project owner shall request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS [2001 CBC, Section 108.4, Approval Required, and Section 108.3, Inspection Requests]. All transmission facilities (lines, switchyards, switching stations, and substations) are handled in Conditions of Certification in the Transmission System Engineering section of this document.	At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of each increment of electrical construction, the project owner shall submit to the CBO for design review and approval the above listed documents. The project owner shall include in this submittal a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.	30	Prior to start of any increment of	Various	Various	Ongoing
TSE	1	Constr	Monthly		The project owner shall provide schedule updates in the Monthly Compliance Report.	N/A	N/A	Various	Various	Ongoing
TSE	2	Constr			If the designated responsible engineer is subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications, and registration number of the newly assigned engineer to the CBO for review and approval.	5	After proposed change			Ongoing
TSE	2	Constr			The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.	5	After approval			Ongoing
TSE	3	Constr		If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, the project owner shall document the discrepancy and recommend corrective action. (1998 CBC, Chapter 1, Section 108.4, Approval Required; Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector; Appendix Chapter 33, Section 3317.7, Notification of Noncompliance). The discrepancy documentation shall become a controlled document and shall be submitted to the CBO for review and approval and shall reference this condition of certification.	The project owner shall submit a copy of the CBO's approval or disapproval of any corrective action taken to resolve a discrepancy to the CPM within 15 days of receipt.	15	After receipt			Ongoing
TSE	3	Constr			If disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval, and the revised corrective action required to obtain the CBO's approval.	5	After notification			Ongoing
TSE	4	Constr		For the power plant switchyard, outlet line and termination, the project owner shall not begin any increment of construction until plans for that increment have been approved by the CBO. These plans, together with design changes and design change notices, shall remain on the site for one year after completion of construction. The project owner shall request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS. The following activities shall be reported in the Monthly Compliance Report: a) receipt or delay of major electrical equipment; b) testing or energization of major electrical equipment; and c) the number of electrical drawings approved, submitted for approval, and still to be submitted.	At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of each increment of construction the project owner shall submit to the CBO for review and approval the final design plans, specifications and calculations for equipment and systems of the power plant switchyard, outlet line and termination, including a copy of the signed and stamped statement from the responsible electrical engineer attesting to compliance with the applicable LORS, and send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.	30	Prior to start of any increment of	Various	Various	Ongoing
TSE	6	Constr		The project owner shall inform the CPM and CBO of any impending changes, which may not conform to the requirements TSE-5 a) through f), and have not received CPM and CBO approval, and request approval to implement such changes. A detailed description of the proposed change and complete engineering, environmental, and economic rationale for the change shall accompany the request. Construction involving changed equipment or substation configurations shall not begin without prior written approval of the changes by the CBO and the CPM.	At least 60 days prior to the construction of transmission facilities, the project owner shall inform the CBO and the CPM of any impending changes which may not conform to requirements of TSE-5 and request approval to implement such changes.	60	Prior to construction of	N/A	N/A	Ongoing
TSE	7	Constr		2. At least one business day prior to synchronizing the facility with the grid for testing, provide telephone notification to the CA ISO Outage Coordination Department.	The project owner shall contact the CA ISO Outage Coordination Department, Monday through Friday, between the hours of 0700 and 1530 at (916) 351-2300 at least one business day prior to synchronizing the facility with the grid for testing.	1	Prior to synchronization			Submitted
TSE	7	Constr		The project owner shall provide the following Notice to the California Independent System Operator (CA ISO) prior to synchronizing the facility with the California Transmission system. 1. At least one week prior to synchronizing the facility with the grid for testing, provide the CA ISO letter stating the proposed date of synchronization; and	The project owner shall provide copies of the CA ISO letter to the CPM when it is sent to the CA ISO one week prior to initial synchronization with the grid.	7	Prior to synchronization			Submitted
TSE	7	Constr			A report of conversation with the CA ISO shall be provided electronically to the CPM one day before synchronizing the facility with the California transmission system for the first time.	1	Prior to synchronization			Submitted

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
TSE	8	Comm		The project owner shall be responsible for the inspection of the transmission facilities during and after project construction, and any subsequent CPM and CBO approved changes thereto, to ensure conformance with CPUC GO-95 or NESC, Title 8, CCR, Articles 35, 36 and 37 of the, "High Voltage Electric Safety Orders", applicable interconnection standards, NEC and related industry standards. In case of non-conformance, the project owner shall inform the CPM and CBO in writing, within 10 days of discovering such non-conformance and describe the corrective action to be taken.	Within 60 days after first synchronization of the project, the project owner shall transmit to the CPM and CBO: a) "As built" engineering description(s) and one-line drawings of the electrical portion of the facilities signed and sealed by the registered electrical engineer in responsible charge. A statement attesting to conformance with CPUC GO-95 or NESC, Title 8, California Code of Regulations, Articles 35, 36 and 37 of the, "High Voltage Electric Safety Orders", and applicable interconnection standards, NEC, related industry standards, and these conditions shall be provided concurrently. b) An "as built" engineering description of the mechanical, structural, and civil portion of the transmission facilities signed and sealed by the registered engineer in responsible charge or acceptable alternative verification. "As built" drawings of the electrical, mechanical, structural, and civil portion of the transmission facilities shall be maintained at the power plant and made available if requested, for CPM audit as set forth in the "Compliance Monitoring Plan". c) A summary of inspections of the completed transmission facilities, and identification of any nonconforming work and corrective actions taken, signed and sealed by the registered engineer in charge.	60	After first synchronization			In Progress
TLSN	2	Ops	Annual	Every reasonable effort shall be made to identify and correct, on a case-specific basis, any complaints of interference with radio or television signals from operation of the project-related lines and associated switchyards. Written records shall be maintained for a period of five years, of all complaints of radio or television interference attributable to plant operation together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notations on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution should be noted and explained. The record shall be signed by the project owner and also the complainant, if possible, to indicate concurrence with the corrective action or agreement with the justification for a lack of action.	All reports of line-related complaints shall be summarized for the project-related lines and included during the first five years of plant operation in the Annual Compliance Report.	N/A	N/A			Not Started
TLSN	3	Comm		A qualified consultant shall be hired to measure the strengths of the electric and magnetic fields from the proposed line segment before and after it is energized. The measurements shall be made according to the American National Standard Institute/Institute of Electrical and Electronic Engineers (ANSI/IEEE) standard procedures at the locations of maximum field strengths along the chosen route. These measurements shall be completed not later than six months after the start of operations.		N/A	After first synchronization			Complete
TLSN	3	Comm			The project owner shall file copies of the pre-and post-energization measurements and measurements with the CPM within 60 days after completion of the measurement	60	After completion	11/8/2013		Submitted
TLSN	4	Ops	Annual	The rights-of-way of the proposed transmission line shall be kept free of combustible materials, as required under the provisions of Section 4292 of the Public Resources Code and Section 1250 of Title 14 of the California Code of Regulations.	During the first five years of plant operation, the project owner shall provide a summary of inspection results and any fire prevention activities carried out along the right-of-way and provide such summaries in the Annual Compliance Report.	N/A	N/A			Not Started
AQ	SC03	Constr	Monthly	Construction Fugitive Dust Control: The AQCOMM shall submit documentation to the CPM in each Monthly Compliance Report (MCR) that demonstrates compliance with the following mitigation measures for the purposes of preventing all fugitive dust plumes from leaving the Project. Any deviation from the following mitigation measures shall require prior CPM notification and approval.	The project owner shall provide to the CPM a MCR to include: (1) a summary of all actions taken to maintain compliance with this condition; (2) copies of any complaints filed with the District in relation to project construction; and (3) any other documentation deemed necessary by the District and AQCOMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.	N/A	N/A	Various	Various	Ongoing
AQ	SC04	Constr	Monthly	Dust Plume Response Requirement: The AQCOMM or an AQCOMM Delegate shall monitor all construction activities for visible dust plumes. Observations of visible dust plumes that have the potential to be transported (1) off the project site or (2) 200 feet beyond the centerline of the construction of linear facilities or (3) within 100 feet upwind of any regularly occupied structures not owned by the project owner indicate that existing mitigation measures are not resulting in effective mitigation. The AQCOMM shall include a section detailing how the additional mitigation measures will be accomplished within the time limits specified.	The project owner shall provide to the CPM a MCR to include: (1) a summary of all actions taken to maintain compliance with this condition; (2) copies of any complaints filed with the District in relation to project construction; and (3) any other documentation deemed necessary by the CPM and AQCOMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.	N/A	N/A	Various	Various	Ongoing
AQ	SC05	Constr	Monthly	Diesel-Fueled Engine Control: The AQCOMM shall submit to the CPM in the MCR, a construction mitigation report that demonstrates compliance with the following mitigation measures for the purposes of controlling diesel construction-related emissions. Any deviation from the following mitigation measures shall require prior CPM notification and approval.	The project owner shall include in the MCR: (1) a summary of all actions taken to maintain compliance with this condition, (2) a list of all heavy equipment used on site during that month, including the owner of that equipment and a letter from each owner indicating that equipment has been properly maintained, and (3) any other documentation deemed necessary by the CPM and AQCOMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.	N/A	N/A	Various	Various	Ongoing
AQ	SC06	All		The project owner shall provide the CPM copies of all District issued Authority-to-Construct (ATC) and Permit-to-Operate (PTO) for the facility. The project owner shall submit to the CPM for review and approval any modification proposed by the project owner to any project air permit.	The project owner shall submit any ATC, PTO, and any proposed air permit modification to the CPM within five working days of its submittal either by 1) the project owner to an agency, or 2) receipt of proposed modifications from an agency.	5	After submittal	12/6/2010 (ATC)	N/A	Ongoing
AQ	SC06	All		The project owner shall submit to the CPM any modification to any permit proposed by the District or U.S. EPA, and any revised permit issued by the District or U.S. EPA, for the project.	The project owner shall submit all modified air permits to the CPM within 15 days of receipt.	15	After receipt	8/7/2009 (PSD)	N/A	Ongoing
AQ	SC07	All	Quarterly Annual	The facility's emissions shall not exceed 1,225 lbs of NOx per day during the June 1 to September 30 periods. In addition, NOx emissions in excess of 848 lbs per calendar day shall be mitigated through the surrender of emission reduction credits (ERCs). The amount of credits to be surrendered shall be the difference between 848 lbs per day and the actual daily emissions.	As part of the quarterly and annual compliance reports as required by AQ-19, the project owner shall include information on the date, time, and duration of any violation of this permit condition.	N/A	N/A			Ongoing
AQ	SC08	All	Quarterly Annual	Turbine hot/warm startup NOx emissions shall not exceed 95/125 pounds per startup event, respectively.	As part of the quarterly and annual compliance reports as required by AQ-19, the project owner shall include information on the date, time, and duration of any violation of this permit condition.	N/A	N/A			Ongoing
AQ	SC09	All	Quarterly Annual	The project owner shall not operate both gas turbines (S-1 and S-3) simultaneously in start-up mode.	As part of the quarterly and annual compliance reports as required by AQ-19, the project owner shall include information on the date, time, and duration of any violation of this permit condition.	N/A	N/A			Ongoing
AQ	SC12			DELETED		N/A	N/A	N/A	N/A	Not Started

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
AQ	SC15	All	Quarterly	The owner/operator shall not operate S-6 Fire pump Diesel Engine for testing to demonstrate compliance with a District, State or Federal emission limit, or for reliability-related activities (maintenance and other testing, but excluding emission testing simultaneously with the operation of either gas turbine (S-1 or S-3) in start-up mode.	As part of the quarterly and annual compliance reports as required by AQ-19, the project owner shall include information on the date, time, and duration of any violation of this permit condition.	N/A	N/A			Ongoing
AQ	SC16	All	Quarterly Annual	The owner/operator shall limit the operation of S-6 Fire pump Diesel Engine to no more than 30 minutes per hour for reliability-related activities (maintenance and other testing, but excluding emission testing or emergency operation).	As part of the quarterly and annual compliance reports as required by AQ-19, the project owner shall include information on the date, time, and duration of any violation of this permit condition.	N/A	N/A			Ongoing
AQ	1	Comm	Monthly	The owner/operator of the RCEC shall minimize emissions of carbon monoxide and nitrogen oxides from S-1 & S-3 gas turbines and S-2 & S-4 Heat Recovery Steam Generators to the maximum extent possible during the commissioning period.	The project owner shall submit a Monthly Compliance Report (MCR) to the CPM specifying how this condition is being complied with.	N/A	N/A			Complete
AQ	2	Comm	Monthly	At the earliest feasible opportunity in accordance with the recommendations of the equipment manufacturers and the construction contractor, the owner/operator shall tune the S-1 & S-3 gas turbines combustors and S-2 & S-4 HRSGs duct burners to minimize the emissions of carbon monoxide and nitrogen oxides.	The project owner shall submit a MCR to the CPM specifying how this condition is being complied with.	N/A	N/A			Complete
AQ	3	Comm	Monthly	At the earliest feasible opportunity in accordance with the recommendations of the equipment manufacturers and the construction contractor, owner/operator shall install, adjust, and operate the A-2 & A-4 Oxidation Catalysts and A-1 & A-3 SCR Systems, to minimize the emissions of carbon monoxide and nitrogen oxides from S-1 & S-3 gas turbines and S-2 & S-4 HRSGs.	The project owner shall submit a MCR to the CPM specifying how this condition is being complied with.	N/A	N/A			Complete
AQ	4	Comm	Monthly		The project owner shall submit a MCR to the CPM specifying how this condition is being complied with.	N/A	N/A			Complete
AQ	5	Comm	Monthly	During the commissioning period, the owner/operator of the RCEC shall demonstrate compliance with AQ-7, AQ-8, AQ-9, and AQ-10, through the use of properly operated and maintained continuous emission monitors and data recorders for the following parameters: <ul style="list-style-type: none"> • firing hours • fuel flow rates • stack gas nitrogen oxide emission concentrations, • stack gas carbon monoxide emission concentrations • stack gas oxygen concentrations. The monitored parameters shall be recorded at least once every 15 minutes (excluding normal calibration periods or when the monitored source is not in operation) for the gas turbines (S-1 & S-3), HRSGs (S-2 & S-4). The owner/operator shall use District-approved methods to calculate heat input rates, nitrogen dioxide mass emission rates, carbon monoxide mass emission rates, and NOx and CO emission concentrations, summarized for each clock hour and each calendar day. The owner/operator shall retain records on site for at least five (5) years from the date of entry and make such records available to District personnel upon request.	The project owner shall submit a MCR report to the CPM specifying how this condition is being complied with.	N/A	N/A			Complete
AQ	6	Comm	Monthly	The owner/operator shall install, calibrate, and operate the District approved continuous monitors specified in AQ-5 prior to first firing of the gas turbines (S-1 & S-3) and HRSGs (S-2 & S-4). After first firing of the turbines, the owner/operator shall adjust the detection range of these continuous emission monitors as necessary to accurately measure the resulting range of CO and NOx emission concentrations.	The project owner shall submit a MCR to the CPM specifying how this condition is being complied with.	N/A	N/A			Complete
AQ	7	Comm	Monthly	The owner/operator shall not fire the S-1 gas turbine and S-2 HRSG without abatement of nitrogen oxide emissions by A-1 SCR System and/or abatement of carbon monoxide emissions by A-2 Oxidation Catalyst for more than 300 hours during the commissioning period. Such operation of S-1 gas turbine and S-2 HRSG without abatement shall be limited to discrete commissioning activities that can only be properly executed without the SCR system and/or oxidation catalyst in place. Upon completion of these activities, the owner/operator shall provide written notice to the District Engineering and Enforcement Divisions and the unused balance of the 300 firing hours without abatement shall expire.	The project owner shall submit a MCR to the CPM specifying how this condition is being complied with.	N/A	N/A	9/20/2013		Complete
AQ	8	Comm	Monthly	The owner/operator shall not fire the S-3 gas turbine and S-4 HRSG without abatement of nitrogen oxide emissions by A-3 SCR System and/or abatement of carbon monoxide emissions by A-4 Oxidation Catalyst for more than 300 hours during the commissioning period. Such operation of S-3 gas turbine and S-4 HRSG without abatement shall be limited to discrete commissioning activities that can only be properly executed without the SCR system and/or oxidation catalyst in place. Upon completion of these activities, the owner/operator shall provide written notice to the District Engineering and Enforcement Divisions and the unused balance of the 300 firing hours without abatement shall expire.	The project owner shall submit a MCR to the CPM specifying how this condition is being complied with.	N/A	N/A	9/20/2013		Complete
AQ	9	Comm	Monthly	The total mass emissions of nitrogen oxides, carbon monoxide, precursor organic compounds, PM10, and sulfur dioxide that are emitted by the gas turbines (S-1 & S-3), HRSGs (S-2 & S-4) and S-6 Fire Pump Diesel Engine during the commissioning period shall accrue towards the consecutive twelve-month emission limitations specified in AQ-23.	The project owner shall submit a MCR to the CPM specifying how this condition is being complied with.	N/A	N/A			Complete
AQ	10	Comm	Monthly	The owner/operator shall not operate the gas turbines (S-1 & S-3) and HRSGs (S-2 & S-4) in a manner such that the combined pollutant emissions from these sources will exceed the following limits during the commissioning period. These emission limits shall include emissions resulting from the start-up and shutdown of the gas turbines (S-1 & S-3).	The project owner shall submit a MCR to the CPM specifying how this condition is being complied with.	N/A	N/A			Complete
AQ	11	Comm		The owner/operator shall notify the District and the CPM within seven (7) working days prior to the planned source testing date.	The project owner shall notify the District and the CPM within seven (7) working days prior to the planned source testing date.	7	Prior to testing	7/19/2013		Submitted
AQ	11	Comm		The owner/operator shall submit the source test results to the District and the CPM within 150 days of the initial startup.	Source test results shall be submitted to the District and the CPM within 150 days of the initial startup.	150	After start-up	Source Test Report Submitted 10/17/2013 Startup/Shutdown report submitted 10/22/2013		Submitted

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
AQ	12	Ops	Quarterly	The owner/operator shall fire the gas turbines (S-1 & S-3) and HRSG duct burners (S-2 & S-4) exclusively on PUC-regulated natural gas with a maximum sulfur content of 1 grain per 100 standard cubic feet. To demonstrate compliance with this limit, the operator of S-1 through S-4 shall sample and analyze the gas from each supply source at least monthly to determine the sulfur content of the gas. PG&E monthly sulfur data may be used provided that such data can be demonstrated to be representative of the gas delivered to the RCEC. In the event that the rolling 12-month annual average sulfur content exceeds 0.25 grain per 100 standard cubic feet, a reduced annual heat input rate may be utilized to calculate the maximum projected annual emissions. The reduced annual heat input rate shall be subject to District review and approval. (BACT for SO2 and PM10)	The project owner shall complete, on a monthly basis, a laboratory analysis showing the sulfur content of natural gas being burned at the facility. The sulfur analysis reports shall be incorporated into the quarterly compliance reports.	N/A	N/A			Ongoing
AQ	13	Ops	Quarterly Annual	The owner/operator shall not operate the units such that the combined heat input rate to each power train consisting of a gas turbine and its associated HRSG (S-1 & S-2 and S-3 & S-4) exceeds 2,238.6 MM BTU (HHV) per hour. (PSD for NOx)	As part of the quarterly and annual compliance reports, the project owner shall include information on the date, time, and duration of any violation of this permit condition.	N/A	N/A			Ongoing
AQ	14	Ops	Quarterly Annual	The owner/operator shall not operate the units such that the combined heat input rate to each power train consisting of a gas turbine and its associated HRSG (S-1 & S-2 and S-3 & S-4) exceeds 53,726 MM BTU (HHV) per day. (PSD for PM10)	As part of the quarterly and annual compliance reports, the project owner shall include information on the date, time, and duration of any violation of this permit condition.	N/A	N/A			Ongoing
AQ	15	Ops	Quarterly Annual	The owner/operator shall not operate the units such that the combined cumulative heat input rate for the gas turbines (S-1 & S-3) and the HRSGs (S-2 & S-4) exceeds 35,708,858 MM BTU (HHV) per year. (Offsets)	As part of the quarterly and annual compliance reports, the project owner shall include information on the date, time, and duration of any violation of this permit condition.	N/A	N/A			Ongoing
AQ	16	Ops	Quarterly Annual	The owner/operator shall not fire the HRSG duct burners (S-2 & S-4) unless its associated gas turbine (S-1 & S-3, respectively) is in operation. (BACT for NOx)	As part of the quarterly and annual compliance reports, the project owner shall include information on the date, time, and duration of any violation of this permit condition.	N/A	N/A			Ongoing
AQ	17	Ops	Quarterly Annual	The owner/operator shall ensure that the S-1 gas turbine and S-2 HRSG are abated by the properly operated and properly maintained A-1 SCR system and A-2 oxidation catalyst system whenever fuel is combusted at those sources and the A-1 SCR catalyst bed has reached minimum operating temperature. (BACT for NOx, POC and CO)	As part of the quarterly and annual compliance reports, the project owner shall provide information on any major problem in the operation of the oxidizing catalyst and SCR Systems for the gas turbines and HRSGs. The information shall include, at a minimum, the date and description of the problem and the steps taken to resolve the problem.	N/A	N/A			Ongoing
AQ	18	Ops	Quarterly Annual	The owner/operator shall ensure that the S-3 gas turbine and S-4 HRSG are abated by the properly operated and properly maintained A-3 SCR System and A-4 oxidation catalyst system whenever fuel is combusted at those sources and the A-3 SCR catalyst bed has reached minimum operating temperature. (BACT for NOx, POC and CO)	As part of the quarterly and annual compliance reports, the project owner shall provide information on any major problem in the operation of the oxidizing catalyst and SCR Systems for the gas turbines and HRSGs. The information shall include, at a minimum, the date and description of the problem and the steps taken to resolve the problem.	N/A	N/A			Ongoing
AQ	19	Ops	Quarterly Annual	The owner/operator shall ensure that the gas turbines (S-1 & S-3) and HRSGs (S-2 & S-4) comply with requirements (a) through (h) under all operating scenarios, including duct burner firing mode. Requirements (a) through (h) do not apply during a gas turbine start-up, combustor tuning operation or shutdown. (BACT, PSD, and Regulation 2, Rule 5) (a) Nitrogen oxide mass emissions (calculated as NO2) at P-1 (the combined exhaust point for S-1 gas turbine and S-2 HRSG after abatement by A-1 SCR System) shall not exceed 16.5 pounds per hour or 0.00735 lb/MM BTU (HHV) of natural gas fired. Nitrogen oxide mass emissions (calculated as NO2) at P-2 (the combined exhaust point for S-3 gas turbine and S-4 HRSG after abatement by A-3 SCR System) shall not exceed 16.5 pounds per hour or 0.00735 lb/MM BTU (HHV) of natural gas fired (b) The nitrogen oxide emission concentration at emission points P-1 and P-2 each shall not exceed 2.0 ppmv, on a dry basis, corrected to 15% O2, averaged over any 1-hour period. (BACT for NOx) (c) Carbon monoxide mass emissions at P-1 and P-2 each shall not exceed 10 pounds per hour or 0.0045 lb/MM BTU of natural gas fired, averaged over any 1-hour period. (PSD for CO) (d) The carbon monoxide emission concentration at P-1 and P-2 each shall not exceed 2.0 ppmv, on a dry basis, corrected to 15% O2, averaged over any 1-hour period. (BACT for CO) (e) Ammonia (NH3) emission concentrations at P-1 and P-2 each shall not exceed 5 ppmv, on a dry basis, corrected to 15% O2, averaged over any rolling 3-hour period. This ammonia emission concentration shall be verified by the continuous recording of the ammonia injection rate to A-2 and A-4 SCR Systems. The correlation between the gas turbine and HRSG heat input rates, A-2 and A-4 SCR System ammonia injection rates, and corresponding ammonia emission concentration at emission points P-1 and P-2 shall be determined in accordance with permit condition 30. (Regulation 2-5) (f) Precursor organic compound (POC) mass emissions (as CH4) at P-1 and P-2 each shall not exceed 2.86 pounds per hour or 0.00128 lb/MM BTU of natural gas fired. (BACT) (g) Sulfur dioxide (SO2) mass emissions at P-1 & P-2 each shall not exceed 6.21 pounds per hour or 0.0028 lb/MM BTU of natural gas fired. (BACT) (h) Particulate matter (PM10) mass emissions at P-1 & P-2 each shall not exceed 7.5 pounds per hour or 0.0036 lb PM10/MM BTU of natural gas fired. (BACT)	The project owner shall submit to the District and CPM, quarterly reports for the preceding calendar quarter within 30 days from the end of the quarter. <u>The report for the fourth quarter can be an annual compliance summary for the preceding year.</u> The quarterly and annual compliance summary reports shall contain the following information: (a) Operating parameters of emission control equipment, including but not limited to ammonia injection rate, NOx emission rate and ammonia slip. (b) Total plant operation time (hours), number of startups, hours in cold startup, hours in warm startup, hours in hot startup, and hours in shutdown. (c) Date and time of the beginning and end of each startup and shutdown period. (d) Average plant operation schedule (hours per day, days per week, weeks per year). (e) All continuous emissions data reduced and reported in accordance with the District approved CEMS protocol. (f) Maximum hourly, maximum daily, total quarterly, and total calendar year emissions of NOx, CO, PM10, POC and SOx (including calculation protocol). (g) Fuel sulfur content (monthly laboratory analyses, monthly natural gas sulfur content reports from the natural gas supplier(s), or the results of a custom fuel monitoring schedule approved by the District. (h) A log of all excess emissions, including the information regarding malfunctions/breakdowns. (i) Any permanent changes made in the plant process or production, which would affect air pollutant emissions, and indicate when changes were made. (j) Any maintenance to any air pollutant control system (recorded on an as performed basis). In addition, this information shall be maintained on site for a minimum of five (5) years and shall be provided to District personnel on request.	30	After end of the reporting period			Ongoing
AQ	20	Ops	Quarterly Annual	The owner/operator shall ensure that the regulated air pollutant mass emission rates from each of the gas turbines (S-1 & S-3) during a start-up does not exceed the limits established below. (PSD)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing
AQ	21	Ops	Quarterly Annual	The owner/operator shall not perform combustor tuning on gas turbines more than once every rolling 365 day period for each S-1 and S-3. The owner/operator shall notify the District no later than 7 days prior to combustor tuning activity. (Offsets, Cumulative Emissions)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing
AQ	22	Ops	Quarterly Annual	The owner/operator shall not allow total combined emissions from the gas turbines and HRSGs (S-1, S-2, S-3 & S-4), S-5 Cooling Tower, and S-6 Fire Pump Diesel Engine, including emissions generated during gas turbine start-ups, combustor tuning, and shutdowns to exceed the following limits during any calendar day: (a) 1,453 pounds of NOx (as NO2) per day. (Cumulative Emissions) (b) 1,225 pounds of NOx per day during ozone season from June 1 to September 30. (CEC Condition of Certification) (c) 7,360 pounds of CO per day (PSD) (d) 295 pounds of POC (as CH4) per day (Cumulative Emissions) (e) 413 pounds of PM10 per day (PSD) (f) 292 pounds of SO2 per day (BACT)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
AQ	23	Ops	Quarterly Annual	The owner/operator shall not allow cumulative combined emissions from the gas turbines and HRSGs (S-1, S-2, S-3 & S-4), S-5 Cooling Tower, and S-6 Fire Pump Diesel Engine, including emissions generated during gas turbine start-ups, combustor tuning, and shutdowns to exceed the following limits during any consecutive twelve-month period: (a) 127 tons of NOx (as NO2) per year (Offsets, PSD) (b) 330 tons of CO per year (Cumulative Increase, PSD) (c) 28.5 tons of POC (as CH4) per year (Offsets) (d) 71.8 tons of PM10 per year (Cumulative Increase, PSD) (e) 12.2 tons of SO2 per year (Cumulative Increase, PSD)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing
AQ	24	Ops	Quarterly Annual	The owner/operator shall not allow sulfuric acid emissions (SAM) from stacks P-1 and P-2 combined to exceed 7 tons in any consecutive 12 month period. (Basis: PSD)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing
AQ	25	Ops	Quarterly Annual	The owner/operator shall not allow the maximum projected annual toxic air contaminant emissions (per AQ-28) from the gas turbines and HRSGs (S-1, S-2, S-3 & S-4) combined to exceed the following limits: formaldehyde 10,912 pounds per year benzene 226 pounds per year specified polycyclic aromatic hydrocarbons (PAHs) 1.8 pounds per year unless the following requirement is satisfied: The owner/operator shall perform a health risk assessment to determine the total facility risk using the emission rates determined by source testing and the most current Bay Area Air Quality Management District approved procedures and unit risk factors in effect at the time of the analysis. The owner/operator shall submit the risk analysis to the District and the CPM within 60 days of the source test date. The owner/operator may request that the District and the CPM revise the carcinogenic compound emission limits specified above. If the owner/operator demonstrates to the satisfaction of the APCO that these revised emission limits will not result in a significant cancer risk the District and the CPM may, at their discretion, adjust the carcinogenic compound emission limits listed above. (Regulation 2, Rule 5.)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing
AQ	27	Ops	Quarterly Annual	To demonstrate compliance with conditions AQ-19(f) thru (h), AQ-22(c) thru (e), and AQ-23(c) thru (e), the owner/operator shall calculate and record on a daily basis, the Precursor Organic Compound (POC) mass emissions, Fine Particulate Matter (PM10) mass emissions (including condensable particulate matter), and Sulfur Dioxide (SO2) mass emissions from each power train. The owner/operator shall use the actual heat input rates measured pursuant to AQ-26, actual gas turbine start-up times, actual gas turbine shutdown times, and CEC and District-approved emission factors developed pursuant to source testing under AQ-30 to calculate these emissions. The owner/operator shall present the calculated emissions in the following format: (a) For each calendar day, POC, PM10, and SO2 emissions, summarized for each power train (gas turbine and its respective HRSG combined) and all four sources (S-1, S-2, S-3 & S-4) combined (b) on a daily basis, the cumulative total POC, PM10, and SO2 mass emissions, for each year for all four sources (S-1, S-2, S-3 & S-4) combined (Offsets, PSD, Cumulative Increase)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing
AQ	28	Ops	Quarterly Annual	To demonstrate compliance with AQ-25, the owner/operator shall calculate and record on an annual basis the maximum projected annual emissions of: Formaldehyde, Benzene, and Specified PAHs. The owner/operator shall calculate the maximum projected annual emissions using the maximum annual heat input rate of 35,708,858 MM BTU/year and the highest emission factor (pounds of pollutant per MM BTU of heat input) determined by any source test of the S-1 and S-3 gas turbines and/or S-2 and S-4 HRSGs. If the highest emission factor for a given pollutant occurs during minimum-load turbine operation, a reduced annual heat input rate may be utilized to calculate the maximum projected annual emissions to reflect the reduced heat input rates during gas turbine start-up and minimum-load operation. The reduced annual heat input rate shall be subject to District review and approval. (Regulation 2, Rule 5)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing
AQ	29	Ops		District-approved source test on exhaust point P-1 or P-2 to determine the corrected ammonia (NH3) emission concentration to determine compliance with AQ-19(e). The source test shall determine the correlation between the heat input rates of the gas turbine and associated HRSG, A-2 or A-4 SCR System ammonia injection rate, and the corresponding NH3 emission concentration at emission point P-1 or P-2. The source test shall be conducted over the expected operating range of the turbine and HRSG (including, but not limited to, minimum and full load modes) to establish the range of ammonia injection rates necessary to achieve NOx emission reductions while maintaining ammonia slip levels. The owner/operator shall repeat the source testing on an annual basis thereafter. Ongoing compliance with AQ-19(e) shall be demonstrated through calculations of corrected ammonia concentrations based upon the source test correlation and continuous records of ammonia injection rate.	The project owner shall notify the District and the CPM within seven (7) working days before the execution of the source tests required in this condition.	7	Prior to testing	7/19/2013		Ongoing
AQ	29	Ops		The owner/operator shall submit the source test results to the District and the CPM within 60 days of conducting the tests. (Regulation 2, Rule 5)	Source test results shall be submitted to the District and to the CPM within 60 days of the date of the tests.	60	After testing	10/17/2013		Ongoing
AQ	30	Ops		The owner/operator shall submit the source test results to the District and the CPM within 60 days of conducting the tests. (BACT, offsets)	Source test results shall be submitted to the District and to the CPM within 60 days of the date of the tests.	60	After testing	10/17/2013		Ongoing

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
AQ	30	Ops		Within 90 days of start-up of the RCEC and on an annual basis thereafter, the owner/operator shall conduct a District-approved source test on exhaust points P-1 and P-2 while each gas turbine and associated Heat Recovery Steam Generator are operating at maximum load to determine compliance with AQ-19(a),(b),(c),(d),(f),(g), and (h) and while each gas turbine and associated Heat Recovery Steam Generator are operating at minimum load to determine compliance with AQ-19(c) and (d), and to verify the accuracy of the continuous emission monitors required in AQ-26. The owner/operator shall test for (as a minimum): water content, stack gas flow rate, oxygen concentration, precursor organic compound concentration and mass emissions, nitrogen oxide concentration and mass emissions (as NO ₂), carbon monoxide concentration and mass emissions, sulfur dioxide concentration and mass emissions, methane, ethane, and, particulate matter (PM ₁₀) emissions, including condensable particulate matter.	The project owner shall notify the District and the CPM within seven (7) working days before the execution of the source tests required in this condition.	7	Prior to testing	7/19/2013		Ongoing
AQ	31	Ops		The owner/operator shall submit the source test results to the District and the CPM within 60 days of conducting the tests. (BACT)	Source test results shall be submitted to the District and to the CPM within 60 days of the date of the tests.	60	After testing	10/17/2013		Ongoing
AQ	32	Ops		Within 90 days of start-up of the RCEC and on a biennial basis (once every two years) thereafter, the owner/operator shall conduct a District-approved source test on exhaust point P-1 or P-2 while the gas turbine and associated Heat Recovery Steam Generator are operating at maximum allowable operating rates to demonstrate compliance with AQ-25. The owner/operator shall also test the gas turbine while it is operating at minimum load if three consecutive biennial source tests demonstrate that the annual emission rates calculated pursuant to AQ-25 for any of the compounds listed below are less than the BAAQMD trigger levels, pursuant to Regulation 2, Rule 5, shown, then the owner/operator may discontinue future testing for that pollutant Benzene ≤6.4 pounds/year and 2.9 pounds/hour Formaldehyde <30 pounds/year and 0.21 pounds/hour Specified PAHs ≤0.011 pounds/year (Regulation 2, Rule 5)	The project owner shall notify the District and the CPM within seven (7) working days before the execution of the source tests required in this condition.	7	Prior to testing	7/19/2013		Ongoing
AQ	32	Ops			Source test results shall be submitted to the District and to the CPM within 60 days of the date of the tests.	60	After testing	10/17/2013		Ongoing
AQ	33	Ops		The owner/operator shall calculate the SAM emission rate using the total heat input for the sources and the highest results of any source testing conducted pursuant to AQ-30 if this SAM mass emission limit of AQ-24 is exceeded, the owner/operator must utilize air dispersion modeling to determine the impact (in ug/m ³) of the sulfuric acid mist emissions pursuant to Regulation 2-2-309 (PSD)	The project owner shall notify the District and the CPM within seven (7) working days before the execution of the source tests required in this condition.	7	Prior to testing	7/19/2013		Ongoing
AQ	33	Ops			Source test results shall be submitted to the District and to the CPM within 60 days of the date of the tests.	60	After testing	10/17/2013		Ongoing
AQ	34	All		The owner/operator shall submit the source test results to the District and the CPM within 60 days of conducting the tests. (PSD)	Source test results shall be submitted to the District and to the CPM within 60 days of the date of the tests.	60	After testing	10/17/2013		Ongoing
AQ	34	All		Within 90 days of start-up of the RCEC and on a semi-annual basis (twice per year) thereafter, the owner/operator shall conduct a District-approved source test on exhaust points P-1 and P-2 while each gas turbine and HRSG duct burner is operating at maximum heat input rates to demonstrate compliance with the SAM emission rates specified in AQ-24. The owner/operator shall test for (as a minimum) SO ₂ , SO ₃ , and H ₂ SO ₄ . After acquiring one year of source test data on these sources, the owner/operator may petition the District to reduce the test frequency to an annual basis if test result variability is sufficiently low as determined by the District.	The project owner shall notify the District and the CPM within seven (7) working days before the execution of the source tests required in this condition.	7	Prior to testing	7/19/2013		Ongoing
AQ	35	Ops		The owner/operator of the RCEC shall submit all reports (including, but not limited to monthly CEM reports, monitor breakdown reports, emission excess reports, equipment breakdown reports, etc.) as required by District Rules or Regulations and in accordance with all procedures and time limits specified in the Rule, Regulation, Manual of Procedures, or Enforcement Division Policies & Procedures Manual. (Regulation 2-6-502)	The project owner shall submit to the District and CPM the reports as required by procedures and time limits specified in the Rule, Regulation, Manual of Procedures, or Enforcement Division Policies & Procedures Manual.	N/A	N/A			Ongoing
AQ	36	All		The owner/operator of the RCEC shall maintain all records and reports on site for a minimum of 5 years. These records shall include but are not limited to: continuous monitoring records (firing hours, fuel flows, emission rates, monitor excesses, breakdowns, etc.), source test and analytical records, natural gas sulfur content analysis results, emission calculation records, records of plant upsets and related incidents. The owner/operator shall make all records and reports available to District and the CPM staff upon request. (Regulation 2-6-501)	During site inspection, the project owner shall make all records and reports available to the District ARB, EPA or CEC staff.	N/A	N/A			Ongoing
AQ	37	All	Quarterly Annual	The owner/operator of the RCEC shall notify the District and the CPM of any violations of these permit conditions. Notification shall be submitted in a timely manner, in accordance with all applicable District Rules, Regulations, and the Manual of Procedures. Notwithstanding the notification and reporting requirements given in any District Rule, Regulation, or the Manual of Procedures, the owner/operator shall submit written notification (facsimile is acceptable) to the Enforcement Division within 96 hours of the violation of any permit condition. (Regulation 2-1-403)	Submittal of these notifications as required by this condition is the verification of these permit conditions. In addition, as part of the quarterly and annual compliance reports of AQ-19, the project owner shall include information on the dates when these violations occurred and when the project owner notified the District and the CPM.	N/A	N/A			Ongoing
AQ	41	Ops		Pursuant to BAAQMD Regulation 2, Rule 6, section 404.1, the owner/operator of the RCEC shall submit an application to the BAAQMD for a major facility review permit within 12 months of completing construction as demonstrated by the first firing of any gas turbine or HRSG duct burner (Regulation 2-6-404.1)	The project owner shall submit to the CPM copies of the Federal (Title IV) Acid Rain and (Title V) Operating Permit within 30 days after they are issued by the District.	30	After issuance			In Progress
AQ	42	Ops		Pursuant to 40 CFR Part 72.30(b)(2)(ii) of the Federal Acid Rain Program, the owner/operator of the Russell City Energy Center shall submit an application for a Title IV operating permit to the BAAQMD at least 24 months before operation of any of the gas turbines (S-1, S-3, S-5, or S-7) or HRSGs (S-2, S-4, S-6, or S-8). (Regulation 2, Rule 7)	The project owner shall submit to the CPM copies of the Federal (Title IV) Acid Rain and (Title V) Operating Permit within 30 days after they are issued by the District.	30	After issuance			In Progress
AQ	45	Comm		Within 60 days of the initial operation of the cooling tower, the owner/operator shall perform an initial performance source test to determine the PM ₁₀ emission rate from the cooling tower to verify compliance with the vendor-guaranteed drift rate specified in AQ-44.		60	After start of			Not Started
AQ	45	Ops	Quarterly Annual	The owner/operator shall perform a visual inspection of the cooling tower drift eliminators at least once per calendar year, and repair or replace any drift eliminator components which are broken or missing. The CPM may require the owner/operator to perform source tests to verify continued compliance with the vendor-guaranteed drift rate specified in AQ-44. (PSD)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Not Started

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
AQ	46	Ops	Quarterly Annual	The owner/operator shall not operate S-6 Fire Pump Diesel Engine more than 50 hours per year for reliability-related activities. ("Stationary Diesel Engine ATCM" section 93115, title 17, CA Code of Regulations, subsection (e)(2)(A)(3) or (e)(2)(B)(3), offsets)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing
AQ	47	Ops	Quarterly Annual	The owner/operator shall operate S-6 Fire Pump Diesel Engine only for the following purposes: to mitigate emergency conditions, for emission testing to demonstrate compliance with a District, State or Federal emission limit, or for reliability-related activities (maintenance and other testing, but excluding emission testing). Operating hours while mitigating emergency conditions or while emission testing to show compliance with District, State or Federal emission limits is not limited. ("Stationary Diesel Engine ATCM" section 93115, title 17, CA Code of Regulations, subsection 9e)(2)(A)(3) or (e)(2)(B)(3))	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing
AQ	48	Ops	Quarterly Annual	The owner/operator shall operate S-6 Fire Pump Diesel Engine only when a non-resettable totalizing meter (with a minimum display capability of 9,999 hours) that measures the hours of operation for the engine is installed, operated and properly maintained. ("Stationary Diesel Engine ATCM" section 93115, title 17, CA Code of Regulations, subsection (e)(4)(G)(1), cumulative increase)	The project owner shall submit to the District and CPM the quarterly and annual compliance reports as required by AQ-19.	N/A	N/A			Ongoing
AQ	49	All		Records: The owner/operator shall maintain the following monthly records in a District-approved log for at least 60 months from the date of entry. Log entries shall be retained on-site, either at a central location or at the engine's location, and made immediately available to the District staff upon request. a. Hours of operation for reliability-related activities (maintenance and testing). b. Hours of operation for emission testing to show compliance with emission limits. c. Hours of operation (emergency). d. For each emergency, the nature of the emergency condition. e. Fuel usage for each engine(s). (Basis: "Stationary Diesel Engine ATCM" section 93115, title 17, CA Code of Regulations, subsection (e)(4)(I), cumulative increase)	During site inspection, the project owner shall make all records and reports available to the District ARB, EPA or CEC staff.	N/A	N/A			Ongoing
HAZ	1	All	Annual	The project owner shall not use any hazardous material in any quantity or strength not listed in Tables 3.5-1 and 3.5-2 of the amendment unless reviewed in advance by the Hayward Fire Department and approved in advance by the CPM.	The project owner shall provide to the Compliance Project Manager (CPM), in the Annual Compliance Report, a list of all hazardous materials contained at the facility.	N/A	N/A			Not Started
HAZ	1	All			If any changes are requested, the project owner shall do so in writing, with a copy to the Hayward Fire Department, at least 30 days before the change is needed, to the CPM for approval.	30	Prior to proposed change	5/23/2012	6/13/2012	Ongoing
HAZ	7	All		If the route must be changed for any reason, the project owner shall obtain the review and approval of the CPM not later than ten (10) days before the next shipment of hazardous materials is due to arrive at the facility and shall notify the Hayward Fire Department at the same time a request for route change is submitted to the CPM.	Any change to the route must be reviewed and approved by the CPM and must be made in writing, not less than ten (10) days prior to the next shipment of hazardous materials to the facility.	10	Prior to proposed change	5/15/2012	6/13/2012	Ongoing
BIO	2	Constr	Monthly	The Designated Biologist shall perform the following during any site (or related facilities) mobilization, ground disturbance, grading, construction, operation, and closure activities: 1. Advise the project owner's Construction/Operation Manager, supervising construction and operations engineer on the implementation of the biological resources conditions of certification; 2. Be available to supervise or conduct mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as wetlands and special status species or their habitat; 3. Clearly mark sensitive biological resource areas and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions; 4. Inspect active construction areas where animals may have become trapped prior to construction commencing each day. Inspect for the installation of structures that prevent entrapment or allow escape during periods of construction inactivity at the end of the construction day. Periodically inspect areas with high vehicle activity (parking lots) for animals in harms way. This inspection may be carried out by a person with qualifications in biological resources who is identified and selected by the Designated Biologist; 5. Notify the project owner and the CPM of any non-compliance with any biological resources condition of certification; and 6. Respond directly to inquiries of the CPM regarding biological resource issues.	The Designated Biologist shall maintain written records of the tasks described above, and summaries of these records shall be submitted in the Monthly Compliance Reports.	N/A	N/A	Various	N/A	Ongoing
BIO	2	Ops	Annual		During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report.	N/A	N/A			Not Started
BIO	3	All		The project owner's Construction/Operation Manager shall act on the advice of the Designated Biologist to ensure conformance with the biological resources conditions of certification. If required by the Designated Biologist, the project owner's Construction/Operation Manager shall halt all site mobilization, ground disturbance, grading, construction, and operation activities in areas specified by the Designated Biologist. The Designated Biologist shall: 1. Require a halt to all activities in any area when determined that there would be adverse impact to biological resources if the activities continued; 2. Inform the project owner and the Construction/Operation Manager when to resume activities; and 3. Notify the CPM if there is a halt of any activities, and advise the CPM of any corrective actions that have been taken, or will be instituted, as a result of the halt.	The Designated Biologist must notify the CPM immediately (and no later than the following morning of the incident, or Monday morning in the case of a weekend) of any non-compliance or a halt of any site mobilization, ground disturbance, grading, construction, and operation activities. The project owner shall notify the CPM of the circumstances and actions being taken to resolve the problem.	1	After discovery			Ongoing
BIO	3	All			Whenever corrective action is taken by the project owner, a determination of success or failure will be made by the CPM within five working days after receipt of notice that corrective action is completed, or the project owner will be notified by the CPM that coordination with other agencies will require additional time before a determination can be made.	5	After receipt			Ongoing
BIO	4	Constr			The project owner shall notify the CPM five (5) working days before implementing any CPM approved modifications to the BRMIMP.	5	Prior to proposed change			Ongoing

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
BIO	4	Comm			Within 30 days after completion of project construction, the project owner shall provide to the CPM for review and approval, a written report identifying which items of the BRMIMP have been completed, a summary of all modifications to mitigation measures made during the project's construction phase, and which mitigation and monitoring plan items are still outstanding.	30	After completion			Not Started
BIO	5	Constr	Monthly		The project owner shall state in the Monthly Compliance Report the number of persons who have completed the training in the prior month and keep record of all persons who have completed the training to date. The signed statements for the construction phase shall be kept on file by the project owner and made available for examination by the CPM for a period of at least six months after the start of commercial operation.	N/A	N/A	Various	N/A	Ongoing
BIO	5	Ops			During project operation, signed statements for active project operational personnel shall be kept on file for the duration of their employment and for six months after their termination.	N/A	N/A	N/A	N/A	Ongoing
BIO	11	Closure		The project owner will incorporate into the planned permanent or unexpected permanent closure plan measures that address the local biological resources. The biological resource facility closure measures will also be incorporated into the project Biological Resources Mitigation Implementation and Monitoring Plan.	At least 12 months (or a mutually agreed upon time) prior to the commencement of closure activities, the project owner shall address all biological resource-related issues associated with facility closure in a Biological Resources Element. The Biological Resources Element will be incorporated into the Facility Closure Plan, and include a complete discussion of the local biological resources and proposed facility closure mitigation measures.	365	Prior to closure			In Progress
SW	1	Constr	Monthly		The project owner shall provide in the monthly compliance report a narrative on the effectiveness of the drainage, erosion and sediment control measures; the results of monitoring and maintenance activities; and the dates of any dewatering activities.	N/A	N/A	Various	Various	Ongoing
SW	3	Comm		The project owner shall comply with the requirements of the General NPDES Permit for Discharges of Storm Water Associated with Industrial Activity. The project owner shall develop and implement a Storm Water Pollution Prevention Plan (SWPPP) for the operation of the RCEC. The Industrial SWPPP shall abide by the City of Hayward's Stormwater Management and Urban Runoff Control Ordinances (Chapter 11, Article 5) set forth in NPDES Permit No. CA0029831.	The project owner shall submit to the CPM a copy of the Industrial SWPPP that includes all requirements of Hayward Municipal Code Chapter 11, Article 5 for Stormwater Management and Urban Runoff Control prior to commercial operation and retain a copy on-site. The project owner shall submit copies to the CPM of all correspondence between the project owner and the City about the City's Stormwater Management and Urban Runoff Control Ordinances and the General NPDES permit for the Discharge of Stormwater Associated with Industrial Activity within 10 days of its receipt or submittal. The Industrial SWPPP shall include a copy of the Notice of Intent for the project.	10	After receipt			In Progress
SW	4	All			Any significant changes in the water supply for the project during construction or operation of the plant shall be noticed in writing to the CPM at least 60 days prior to the effective date of the proposed change.	60	Prior to proposed change			Not Started
SW	4	All			The project owner shall submit copies to the CPM of all correspondence between themselves and DHS or the SFRWQCB within 10 days of receipt or submittal.	10	After receipt			In Progress
SW	4	Ops	Annual		The project owner will submit as part of its annual compliance report a water use summary to the CPM on an annual basis for the life of the project.	N/A	N/A			Not Started
SW	6	All			The project owner shall submit any notice of violations from the City to the CPM within ten (10) days of receipt and fully explain the corrective actions taken in the annual compliance report.	10	After receipt			Not Started
SW	6	All			The project owner shall submit any notice of violation of the agreements' terms and conditions to the CPM within ten (10) days of receipt and shall fully explain the corrective actions taken in the next monthly compliance report or annual compliance report, as appropriate.	10	After receipt			Not Started
SW	6	Ops			During operations, the project owner shall submit any water quality monitoring reports for potable or recycled water use required by the City to the CPM in the annual compliance report.	N/A	N/A			Not Started
SW	7	Comm		The project owner shall provide evidence of submittal of as-built plans to City of Hayward in order to obtain a final letter of map revision (LOMR).	Within sixty (60) days following the RCEC commercial operation date, the project owner shall submit to the CPM evidence of submittal of as-built plans to the City of Hayward in order to obtain a final letter of map revision (LOMR).	60	After completion of final grading			Not Started
SW	9	Ops	Annual		During operation, any monitoring reports provided to the City shall be provided to the CPM.	N/A	N/A			Not Started
SW	9	Ops	Annual	The CPM shall be notified of any violations of discharge limits or amounts.	The project owner shall submit any notice of violations from the City to the CPM within ten (10) days of receipt and fully explain the corrective actions taken in the annual compliance report.	10	After receipt			Not Started
CUL	1	Constr			(4) At least 10 days prior to a termination or release of the CRS, or within 3 days after resignation of the CRS, the project owner shall submit the resume of the proposed new CRS to the CPM for review and approval. If there is no alternate CRS in place to conduct the duties of the CRS, a previously approved monitor may serve in place of a CRS so that construction may continue up to a maximum of 3 days without a CRS. If cultural resources are discovered, then construction will remain halted until there is a CRS or alternate CRS to make a recommendation regarding significance.	10	Prior to proposed change			Ongoing
CUL	1	Constr			If additional monitors are obtained during the project, the CRS shall provide additional letters to the CPM, identifying the monitor and attesting to the monitor's qualifications. The letter shall be provided one week prior to the monitor beginning on-site duties.	7	Prior to start of	Various	Various	Ongoing
CUL	2	Constr	Monthly	A current schedule of anticipated project activity shall be provided to the CRS on a weekly basis during ground disturbance and provided to the CPM in each Monthly Compliance Report (MCR).	A copy of the current schedule of anticipated project activity shall be submitted in each MCR.	N/A	N/A	Various	Various	Ongoing
CUL	2	Constr		(3) At a minimum, the CRS shall consult weekly with the project superintendent or construction field manager to confirm area(s) to be worked during the next week, until ground disturbance is completed.	(3) If there are changes to the scheduling of the construction phases of the project, a letter shall be submitted to the CPM within 5 days of identifying the changes.	5	Prior to proposed change	Various	N/A	Ongoing
CUL	3	Comm			The CRR shall be submitted to the CPM within 90 days after completion of ground disturbance (including landscaping) for review and approval.	90	After completion			Not Started
CUL	3	Comm			Within 10 days after CPM approval, the project owner shall provide documentation to the CPM that copies of the CRR have been provided to the curating institution (if archaeological materials were collected), the SHPO and the CHRIS.	10	After approval			Not Started

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
CUL	4	Constr	Monthly	The project owner shall ensure that a Worker Environmental Awareness Training for all new employees shall be conducted prior to beginning and during periods of pre-construction site mobilization, construction ground disturbance, construction grading, boring, and trenching, and construction. The training may be presented in the form of a video. The training shall include a discussion of applicable laws and penalties under the law. Training shall also include samples or visuals of artifacts that might be found in the project vicinity and the information that the CRS, alternate CRS or monitor has the authority to halt construction in the event of a discovery or unanticipated impact to a cultural resource. The training shall also instruct employees to halt or redirect work in the vicinity of a find and to contact their supervisor and the CRS or monitor. An informational brochure shall be provided that identifies reporting procedures in the event of a discovery. Workers shall sign an acknowledgement form that they have received training and a sticker shall be placed on hard hats provided indicating that environmental training has been completed.	At a minimum, training for new employees shall be conducted on a weekly basis. Copies of acknowledgement forms signed by trainees shall be provided in the MCR.	N/A	N/A	Various	N/A	Ongoing
CUL	6	Constr	Monthly	(1) Monitors shall keep a daily log of any monitoring or cultural resource activities and the CRS shall prepare a weekly summary report on the progress or status of cultural resources-related activities. The CRS may informally discuss cultural resource monitoring and mitigation activities with Energy Commission technical staff.	(1) During the ground disturbance phases of the project, the project owner shall include in the MC to the CPM copies of the weekly summary reports prepared by the CRS regarding project-related cultural resources monitoring. Copies of daily logs shall be retained and made available for audit the CPM as needed.	N/A	N/A	Various	N/A	Ongoing
CUL	6	Constr	Monthly		In the event of a non-compliance issue, a report written no sooner than two weeks after resolution of the issue that describes the issue, resolution of the issue and the effectiveness or the resolution measures, shall be provided in the next MCR.	14	After resolution			Ongoing
CUL	6	Constr		(2) The CRS shall notify the project owner and the CPM, by telephone or email, of any incidents of non-compliance with any cultural resources conditions of certification within 24 hours of becoming aware of the situation. The CRS shall also recommend corrective action to resolve the problem or achieve compliance with the conditions of certification. (3) Cultural resources monitoring activities are the responsibility of the CRS. Any interference with monitoring activities, removal of a monitor from duties assigned by the CRS or direction to a monitor to relocate monitoring activities by anyone other than the CRS shall be considered non-compliance with these conditions of certification.	(2) Within 24 hours of recognition of a non-compliance issue, the CRS shall notify the CPM by telephone of the problem and of actions underway to resolve the problem. The telephone call shall be followed by an e-mail or fax detailing the non-compliance issue and the measures necessary to achieve resolution of the issue. Daily logs shall include forms detailing any instances of non-compliance with conditions of certification.		After discovery		Ongoing	
CUL	6	Constr		(4) A Native American monitor shall be obtained, at a minimum on an on call basis, to monitor ground disturbance in areas where Native American artifacts may be discovered as identified by the CRS. Informational lists of concerned Native Americans and Guidelines for monitoring shall be obtained from the Native American Heritage Commission. Preference in selecting a monitor shall be given to Native Americans with traditional ties to the area that will be monitored.	(3) One week prior to ground disturbance in areas where there is a potential to discover Native American artifacts, the project owner shall send notification to the CPM identifying the person(s) retained at a minimum, an on-call basis to conduct Native American monitoring. If efforts to obtain the services of a qualified Native American monitor are unsuccessful, the project owner shall immediately inform the CPM who will initiate a resolution process.	7	Prior to ground disturbance		Ongoing	
CUL	6	Constr		The project owner shall ensure that the CRS, alternate CRS, or monitors shall monitor ground disturbance full-time in the vicinity of the project site, linears and ground disturbance at laydown areas to ensure there are no impacts to undiscovered resources. In the event that the CRS determines that full-time monitoring is not necessary in certain locations, a letter or e-mail providing a detailed justification for that decision to reduce the level of monitoring shall be provided to the CPM for review and approval prior to any reduction in monitoring.	During the ground disturbance phases of the project, if the CRS wishes to reduce the level of monitoring occurring at the project, a letter identifying the area(s) where the CRS recommends the reduction and justifying the reductions in monitoring shall be submitted to the CPM for review and approval.	N/A	N/A	Various		Ongoing
GEO	1	Constr			If the Engineering Geologist(s) is subsequently replaced, the project Owner shall submit for approval the name(s), resume(s) and license number(s) of the newly assigned Engineering Geologist(s) to the CPM. The CPM will notify the project Owner of its findings within 15 days of receipt of the notice of personnel change.	15	Prior to proposed change			Ongoing
GEO	2	Comm			(2) Within 90 days following the completion of the final grading, the project Owner shall submit copies of the Final Geologic Report required by the 2001 CBC Appendix Chapter 33, Section 331 Completion of Work, to the CBO, with a copy of the transmittal letter forwarded to the CPM.	90	After completion			In Progress
PAL	1	Constr			At least 10 days prior to the termination or release of a designated Paleontologic Resource Specialist, the Project Owner shall obtain CPM approval of the replacement specialist by submitting to the CPM the name and resume of the proposed new designated Paleontologic Resource Specialist.	10	Prior to proposed change			Ongoing
PAL	1	Constr			Should emergency replacement of the designated specialist become necessary, the Project Owner shall immediately notify the CPM to discuss the qualifications of its proposed replacement specialist.	1	Prior to proposed change			Ongoing
PAL	3	Constr	Monthly		Documentation for training of additional new employees shall be provided in subsequent Monthly Compliance Reports.	N/A	N/A	Various	N/A	Ongoing
PAL	4	Constr	Monthly	The designated Paleontologic Resource Specialist or designee shall be present at all times he or she deems appropriate to monitor construction-related grading, excavation, trending, and/or auguring in areas where potentially fossil-bearing sediments have been identified. If the designated Paleontologic Resource Specialist determines that full-time monitoring is not necessary in certain portions of the project area or along portions of the linear facility routes, the designated specialist shall notify the Project Owner.	The Project Owner shall include in the Monthly Compliance Reports a summary of paleontologic activities conducted by the designated Paleontologic Resource Specialist.	N/A	N/A	Various	N/A	Complete
PAL	5	All		The Project Owner, through the designated Paleontologic Resource Specialist, shall ensure recovery, preparation for analysis, analysis, identification and inventory, the preparation for curation, and the delivery for curation of all significant paleontologic resource materials encountered and collected during the monitoring, data recovery, mapping, and mitigation activities related to the project.	The Project Owner shall maintain in its compliance files copies of signed contracts or agreements with the designated Paleontologic Resource Specialist and other qualified research specialists who will ensure the necessary data and fossil recovery, mapping, preparation for analysis, analysis, identification and inventory, and preparation for delivery of all significant paleontologic resource materials collected during data recovery and mitigation for the project. The Project Owner shall maintain these files for a period of three years after completion and approval of the CPM-approved Paleontologic Resources Report and shall keep these files available for periodic audit by the CPM.	N/A	N/A			Ongoing
PAL	6	Constr		The Project Owner shall ensure preparation of a Paleontologic Resources Report by the designated Paleontologic Resource Specialist. The Paleontologic Resources Report shall be completed following completion of the analysis of the recovered fossil materials and related information. The Project Owner shall submit the paleontologic report to the CPM for approval.	The Project Owner shall submit a copy of the Paleontologic Resources Report to the CPM for review and approval, under a cover letter stating that it is a confidential document. The report is to be prepared by the designated Paleontologic Resource Specialist within 90 days following completion of the analysis of the recovered fossil materials.	90	After completion			Ongoing

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
PAL	7	Closure		The Project Owner shall include in the facility closure plan a description regarding potential impact to paleontologic resources by the closure activities. The conditions for closure will be determined when a facility closure plan is submitted to the CPM, twelve months prior to closure of the facility. No activities are proposed that would potentially impact paleontologic resources, then no mitigation measures for paleontologic resource management are required in the facility closure plan.	The Project Owner shall include a description of closure activities described above in the facility closure plan.	N/A	N/A			In Progress
WASTE	1	All		Upon becoming aware of any impending waste management-related enforcement action by any local, state, or federal authority, the project owner shall notify the CPM of any such action taken or proposed to be taken against the project itself, or against any waste hauler or disposal facility or treatment operator with which the owner contracts.	The project owner shall notify the CPM in writing within 10 days of becoming aware of an impending enforcement action. The CPM shall notify the project owner of any changes that will be required in the manner in which project-related wastes are managed.	10	After notification			Ongoing
WASTE	2	Ops	Annual		In the Annual Compliance Reports, the project owner shall document the actual waste management methods used during the year and provide a comparison of the actual methods used to those proposed in the original Operation Waste Management Plan.	N/A	N/A			Not Started
WASTE	2	Ops			The project owner shall submit any required revisions within 20 days of notification by the CPM (or mutually agreed upon date).	20	After notification			Not Started
WASTE	4	Constr		If potentially contaminated soil is unearthed during excavation at either the proposed site or linear facilities as evidenced by discoloration, odor, detection by handheld instruments, or other signs, the Registered Professional Engineer or Geologist shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and file a written report to the project owner and CPM stating the recommended course of action. Depending on the nature and extent of contamination, the Registered Professional Engineer or Geologist shall have the authority to temporarily suspend construction activity at that location for the protection of workers or the public. If, in the opinion of the Registered Professional Engineer or Geologist, significant remediation may be required, the project owner shall contact representatives of the San Francisco Bay Regional Water Quality Control Board, City of Hayward Fire Department Hazardous Materials Office, and the Berkeley Regional Office of the California Department of Toxic Substances Control for guidance and possible oversight.	The project owner shall submit any reports filed by the Registered Professional Engineer or Geologist to the CPM within 5 days of their receipt.	5	After receipt	Various	Various	Ongoing
WASTE	5	Ops	Annual	The project owner shall ensure that the ZLD salt cake is tested twice the first year of operation as per 22 CCR 66262.10 and report the findings to the CPM.	The project owner shall include the results of salt cake testing in annual report provided to the CPM. If two consecutive tests, taken six months apart, show that the sludge is non-hazardous, the project owner may apply to the CPM to discontinue testing.	N/A	N/A			Ongoing
WASTE	7	All	Monthly	The project owner shall obtain a hazardous waste generator identification number from the Department of Toxic Substances Control prior to generating any hazardous waste.	The project owner shall keep its copy of the identification number on file at the project site and notify the CPM via the monthly compliance report of its receipt.	N/A	N/A	9/15/2010	N/A	Complete
NOISE	2	All		Throughout the construction and operation of the project, the project owner shall document, investigate, evaluate, and attempt to resolve all project related noise complaints.	Within 30 days of receiving a noise complaint, the project owner shall file a copy of the Noise Complaint Resolution Form, or similar instrument approved by the CPM, with the City of Hayward and with the CPM, documenting the resolution of the complaint.	30	After receipt	Various	Various	Ongoing
NOISE	2	All			If mitigation is required to resolve a complaint and the complaint is not resolved within a 30-day period, the project owner shall submit an updated Noise Complaint Resolution Form when the mitigation is finally implemented.	30	After resolution			Ongoing
NOISE	6	Ops		The project design and implementation shall include appropriate noise mitigation measures adequate to ensure that the project will not cause resultant noise levels to exceed the noise standards of the City of Hayward Municipal Code or Noise Element. Included shall be a sound wall along the southern edge of the project site. No new pure tone components may be introduced. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints. Steam relief valves shall be adequately muffled to preclude noise that draws legitimate complaints.	Within 30 days after completing the post-construction survey, the project owner shall submit a summary report of the survey to the CPM. Included in the post-construction survey report will be a description of any additional mitigation measures necessary to achieve compliance with the above listed noise limits, and a schedule, subject to CPM approval, for implementing these measures.	30	After completion			Not Started
NOISE	6	Ops			Within 30 days of completion of installation of these measures, the project owner shall submit to the CPM a summary report of a new noise survey, performed as described above and showing compliance with this condition.	30	After completion			Not Started
NOISE	7	Ops		Within 30 days after the facility is in full operation, the project owner shall conduct an occupational noise survey to identify the noise hazardous areas in the facility. The survey shall be conducted by a qualified person in accordance with the provisions of Title 8, California Code of Regulations, sections 5095-5099 (Article 105) and Title 29, Code of Federal Regulations, section 1910.95. The survey results shall be used to determine the magnitude of employee noise exposure. The project owner shall prepare a report of the survey results and, if necessary, identify proposed mitigation measures that will be employed to comply with the applicable California and federal regulations.	Within 30 days after completing the survey, the project owner shall submit the noise survey report to the CPM. The project owner shall make the report available to OSHA and Cal-OSHA upon request.	30	After completion			Not Started
NOISE	8	Constr	Monthly	Heavy equipment operation and noisy construction work shall be restricted to the times of day delineated below: • Monday-Saturday 7:00 a.m. to 7:00 p.m. • Sundays and holidays 10:00 a.m. to 6:00 p.m.	The project owner shall transmit to the cpm in the first monthly construction report a statement acknowledging that the above restrictions will be observed throughout the construction of the project.	N/A	N/A	9/15/2010	N/A	Ongoing
TRANS	1	Constr			Additionally, every 4 months during construction the project owner shall submit turning movement studies for the intersection at Enterprise Avenue and Clawiter Road during the A.M. (7:30 to 8:30 a.m.) and P.M. (4:30 to 5:30 p.m.) peak hours to confirm that construction trip generation rates identified in the AFC and used to determine less than significant impacts to City of Hayward street and are not being exceeded.	N/A	N/A	Various	N/A	Complete
TRANS	6			The degree of rehabilitation is dependent on a condition inspection by the City Engineer after completion of the RCEC project.	If required, the project owner shall resurface Enterprise Avenue and Clawiter Road in accordance with City of Hayward standards.	N/A	N/A			Not Started
TRANS	9	Constr	Monthly	The project owner or its contractor shall comply with the City of Hayward Planning Department limitations for encroachment into public rights-of-way and shall obtain necessary encroachment permits from the City of Hayward Public Works Department.	In the Monthly Compliance Reports, the project owner shall submit copies of any encroachment permits received during that month's reporting period to the Compliance Project Manager (CPM). In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six months after the start of commercial operation.	N/A	N/A	Various	N/A	Ongoing
TRANS	10	Comm		9. Provide the Hayward Executive Airport and the Metropolitan Oakland International Airport Air Traffic Control Towers written notice at least 10 days in advance of the first test or commissioning procedure that would produce a thermal plume. provide verbal notification 2 hours in advance of any subsequent test or commissioning procedure and 10 days written notice prior to the start of commercial operations	The project owner shall provide simultaneously to the CPM copies of all advisories sent to the Hayward and Oakland Air Traffic Control Towers.	2	Prior to testing	Various	N/A	Ongoing

Technical Area	No.	Facility Status	Report	Condition of Certification	Compliance Verification	Timeframe	Submittal Required	Date Submitted	Date Approved	Status
VIS	1	Comm		* All evidence of construction activities, including ground disturbance due to staging and storage areas shall be removed and remediated upon completion of construction. Any vegetation removed in the course of construction would be replaced on a 1-to-1 in-kind basis. Such replacement planting would be monitored for a period of three years to ensure survival. During this period, all dead plant material shall be replaced.	The project owner shall notify the CPM within seven days after completing the surface restoration that the areas disturbed during construction are ready for inspection.	7	After completion			In Progress
VIS	2	Comm			The project owner shall complete installation of the landscaping within 90 days of the commercial operation date.	90	After commercial operation			Submitted
VIS	2	Comm			The project owner shall notify the CPM within seven days after completing installation of the landscape screening that the planting and irrigation system are ready for inspection.	7	After completion	11/6/2013		Submitted
VIS	2	Ops	Annual		The project owner shall report landscape maintenance activities, including replacement of dead vegetation, for the previous year of operation in the Annual Compliance Report.	N/A	N/A			Ongoing
VIS	3	Ops	Annual		The project owner shall provide a status report regarding treatment maintenance in the Annual Compliance Report.	N/A	N/A			Not Started
VIS	5	Comm			The project owner shall notify the CPM within seven days after completing installation of the fencing that the fencing is ready for inspection.	7	After completion	10/23/2013		Submitted
VIS	5	Constr			If the CPM notifies the project owner that revisions of the submittal are needed before the CPM would approve the submittal, within 30 days of receiving that notification, the project owner shall prepare and submit to the CPM a revised submittal.	30	After notification	N/A	N/A	Submitted
VIS	6	All		The project owner shall design project signs using non-reflective materials and unobtrusive colors. The project owner shall ensure that signs comply with the applicable City of Hayward zoning requirements that relate to visual resources. The design of any signs required by safety regulations shall conform to the criteria established by those regulations.	At least 60 days prior to installing signage, the project owner shall submit the plan to the CPM for review and approval.	60	Prior to start of installation			Not Started
VIS	6	All			If the CPM notifies the project owner that revisions of the plan are needed before the CPM would approve the submittal, within 30 days of receiving that notification, the project owner shall prepare and submit to the CPM a revised submittal.	30	After notification			Not Started
VIS	10	Comm			The project owner shall notify the CPM within seven days after completing installation of the landscape screening that the planting and irrigation system are ready for inspection.	7	After completion			In Progress
VIS	10	Ops	Annual		The project owner shall report landscape maintenance activities, including replacement of dead vegetation, for the previous year of operation in the Annual Compliance Report.	N/A	N/A			Not Started
VIS	11	Constr	Monthly	4) A lighting complaint resolution form (following the general format of that in Appendix VR-3, of the Amendment No. 1 Staff Assessment shall be maintained by plant construction management, record all lighting complaints received and to document the resolution of that complaint.	The project owner shall report any lighting complaints and documentation of resolution in the Monthly Compliance Report, accompanied by any lighting complaint resolution forms for that month.	N/A	N/A			Ongoing
VIS	11	Constr			If the CPM notifies the project owner that modifications to the lighting are needed, within 30 (thirty) days of receiving that notification the project owner shall implement the necessary modifications and notify the CPM that the modifications have been completed.	30	After notification			Ongoing