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2HT Reply brief

Additional submitted attachment is included below.

Robert Simpson
27126 Grandview Avenue
Hayward, CA 94542
Email: Rob@redwoodrob.com
Phone: (510) 634-4171

STATE OF CALIFORNIA

**State Energy Resources
Conservation and Development Commission**

In the Matter of:

HUNTINGTON BEACH ENERGY PROJECT
AMENDMENT

NO. 12-AFC-02C

**REPLY BRIEF BY HELPING
HAND TOOLS AND
ROBERT SIMPSON**

Phase 1 of the project does not meet resource adequacy requirements.

According to the applicant's opening brief, "*The Amended HBEP is designed to start and stop very quickly and be able to ramp up and down, which is critical to supporting local electrical reliability and grid stability, peak demand, **meeting resource adequacy requirements**, and helping to integrate an ever increasing amount of intermittent renewable energy supply into the electrical system.*"¹

The combined cycle units proposed for Huntington Beach do not meet resource adequacy requirements specified in CAISO Tariff Section 40.3.1.1. CAISO Tariff Section 40.3.1.1 requires any resource selected to support LCR grid reliability to go from start to full power in 20

¹ **AES HUNTINGTON BEACH ENERGY, LLC'S POST EVIDENTIARY HEARING
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minutes or less. CAISO specifically requires grid reliability resources to provide full load output within 20 Minutes to meet the requirements of CAISO Tariff Section 40.3.1.1: 30:

Tariff Section 40.3.1.1, requires the CAISO, in performing the Local Capacity Technical Study, to apply the following reliability criterion: Time Allowed For Manual Adjustment: This is the amount of time required for the Operator to take all actions necessary to prepare the system for the next Contingency. The Time should not be more than thirty (30) minutes.

Accordingly, When evaluating resources that satisfy the requirements of the CAISO Local Capacity Technical Study, The CAISO assumes that local capacity resources need to be available in no longer than 20 Minutes so the CAISO And demand response providers have a reasonable opportunity to perform their respective and necessary tasks and enable the CAISO To reposition the system within the 30 Minutes in accordance with applicable reliability criteria.

The GE Frame 7A.05 combined cycle unit cannot comply with CAISO's Definition of compliance with CAISO Tariff Section 40.3.1.1. This is non-compliance with an applicable LORS. The simple cycle turbines proposed for Phase 2 of the HBGS can do this. However, the CC units take 60 minutes to full power on a cold start, and 30 minutes to full power on a warm or hot start. About 2/3 of the CC capacity, the simple cycle component, can get to full power in less than 20 minute. However, the remaining 1/3 does not meet a "20 minutes to load" requirement and does not comply with CAISO Tariff Section 40.3.1.1 which constitutes a LORS violation.

GEO-3 is required to comply with the Governors Executive Order B-30-15

The applicant states in the opening brief, "*Staff also claims to have proposed new GEO-3 to mitigate potential impacts to public health and safety from tsunamis; however, no new information or LORS exist to support the imposition of this new Condition of Certification on the Amended HBEP.*"² The applicant ignores the [Governor's Executive Order # B-30-15](#) issued on April 29, 2015³ which requires state agencies to, "*Factor climate change into state agencies' planning and investment decisions.*" The Staff was required to examine seal level rise and the potential for a Tsunami to inundate the project site as part of the Governors executive order. The

² **AES HUNTINGTON BEACH ENERGY, LLC'S POST EVIDENTIARY HEARING OPENING BRIEF** January 11, 2017 Page 6,7 of 15

³ The Commission final Decision on the licensed HBEP was issue in October of 2014 before the governor issued his executive order.

California Coastal commission also recommended additional measures to prepare for sea level rise and the potential Tsunami threat which staff appropriately considered and according to the FSA proposed condition GEO-3.⁴ So staff was required to examine additional sea level rise impacts in the FSA because of the Governors executive order and the California Coastal commission 30413 (d) report. The applicant's position ignores State LORS and also the CCC recommendations.

The Projects emissions are not fully mitigated.

According to the applicants opening brief the, *“Project Owner reiterates that the Amended HBEP’s air emissions are more than fully mitigated, even beyond what is required by law, regulation, and District rules.”* The projects air emissions have not been fully mitigated. The project mitigation relies on NO_x and SO_x RECLAIM credits to mitigate the projects emissions. The EPA has recently reclassified the SCAQMD to severe non-attainment for PM 2.5 in December of 2015. On April 16, 2016 The Environmental Protection Agency approved in part and disapproved in part the State implementation plan (SIP) revisions submitted by California to address moderate area Clean Air Act (CAA) requirements for the 2006 fine particulate (PM 2.5) National Ambient Air Quality Standards (NAAQS) in the Los Angeles—South Coast air basin (South Coast) PM 2.5 nonattainment area. In the action EPA disapproved the Reasonably Available Control Measure, Reasonably Available Control Technology (RACM/RACT), and Reasonable Further Progress elements of the SIP revisions because of new information indicating that the 2010 RECLAIM program does not meet the RACM/RACT requirement for certain sources of emissions.⁵ The EPA action goes on further to state, *“Given the information in the Plan about “excess” NO_x RTCs in the 2010 RECLAIM program and the new information submitted by the commenters indicating that these excess RTCs have artificially depressed NO_x RTC prices during the 2009-2013 period covered by the Plan, thus allowing RECLAIM facilities to avoid installing technically feasible and cost-effective NO_x pollution control equipment during this period, and given the absence of a demonstration in the Plan to support a conclusion that the 2010 RECLAIM program ensures, in the aggregate, NO_x*

⁴ Exhibit 6000 [Final Staff Assessment - Part 1](#) Page 347 of 520

⁵ <https://www.regulations.gov/document?D=EPA-R09-OAR-2015-0204-0212>

