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Alamitos Energy Center

(13-AFC-01)

Presiding Members Proposed Decision Preliminary Comments

Prepared for

California Energy Commission

Prepared by

AES Alamitos Energy, LLC

With assistance from



2485 Natomas Park Drive,
Suite 600
Sacramento, CA 95833

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Introduction

AES Alamos Energy, LLC (the “Applicant”) provides the following preliminary comments on the Presiding Members Proposed Decision (“PMPD”) for the Alamos Energy Center (“AEC”) Supplemental Application for Certification (SAFC) (13-AFC-01). Proposed deletions are shown in ~~strikeout~~ font. Proposed additions are shown in underlined font. Per the Committee’s order, the Applicant may file additional comments, as necessary, prior to the close of the comment period.

The Applicant did not have comments on the following PMPD sections: Executive Summary, Introduction, Facility Design, Transmission Line Safety and Nuisance, Worker Safety and Fire Protection, Hazardous Materials Management, Waste Management, Soil and Water Resources, Geologic and Paleontological Resources, Socioeconomics, or Environmental Justice.

General Comments

Global Comments

Passim, the Applicant is “AES Alamos Energy, LLC.” As noted in the Supplemental AFC (“SAFC”) (TN#s: 206427-1 to 206427-6), “AES Alamos Energy, LLC” replaced the former applicant (AES Southland Development, LLC). All references to “AES Southland Development, LLC” should be replaced with “AES Alamos Energy, LLC” in the following sections:

- Introduction, 1-1; Project Description, 2-1; Project Description, 2-2 (See Note Below In Project Description Comments); Project Description, 2-21; Transmission Line Safety And Nuisance, 5.5-6;

In addition to these changes to the PMPD in the Final Decision, please ensure that the Commission Adoption Order, the Notice of Determination, and any other approval-related documents identify the applicant as “AES Alamos Energy, LLC.”

Passim, for consistency, please refer to the project site as described in the SAFC: “located on an approximately 21-acre site within a larger, 71.1-acre parcel.”

Project Description

Page 2-8, paragraph 2, first sentence “Construction of the AEC facility, from site preparation and grading to commercial operation, is expected to take place over an approximate 57-month period, from the second quarter of 2017 to the third quarter of 2021” should be revised. The construction period is described as 56 months (pages 2-2, 7.1-18, 7.1-20, 7.2-3, 6.6-2, 8.2-11, 8.4-3, and 8.4-21) and as 57 months (pages 2-8, 2-22, 6.1-4, 6.1-15, 6.2-12, 6.3-7, 8.3-6, 8.3-7, and 8.3-12). As described in the Applicant’s Opening Testimony (TN#214099), “Construction activities at the AEC site are anticipated to last 57 consecutive months (56 actual months of construction).

Page 2-21, Finding of Fact 1: Revise as follows, “AES Alamos Energy ~~Southland Development~~, Limited Liability Corporation (LLC) will own and operate the Alamos Energy Center on private land in the City of Long Beach, Los Angeles County, California.”

Alternatives

Page 3-1, last paragraph, 2nd sentence – This sentence states that Alamos Generating Station (AGS) Units 1, 2, and 5 will be retired after the combined cycle gas turbine (CCGT or Power Block 1) begins operation. This sentence should be updated to be consistent with the Air Quality section and the

SCAQMD's FDOC to state: "AGS Units 1, 2, and 6 will be retired after Power Block 1 begins operation consistent with the discussion in Air Quality.¹ Units 3, 4, and ~~5~~ would likely operate until December 31, 2020, which is the final date for the AGS facility to comply with the California State Water Resources Control Board's Once Through Cooling Policy."

Engineering Assessment

Power Plant Efficiency

Page 5.2-3, paragraphs 2 and 3: references to "CAISO" conditions should be revised to reference the International Organization of Standardization or "ISO" conditions.

Power Plant Reliability

Page 5.3-4, paragraph 4, second sentence should be revised as follows: "The site's final graded elevation will be at least 12 feet above existing mean sea level and there would still be ~~4~~ 5.5 feet of elevation between the floodplain and the AEC site.¹⁶" (See PMPD page 7.2-11).

Public Health and Safety

Greenhouse Gas Emissions

Page 6.1-5, paragraph 3, second sentence should be corrected as follows: "The proposed maximum operation of the combined cycle generators are ~~4,160~~ hours, which is a 47 percent capacity factor.¹⁶"

Page 6.1-11, Greenhouse Gas Table 3, Laws, Ordinances, Regulations, and Standards, references "[2] 40 Code of Federal Regulations (CFR) Parts 51 and 52", which should be revised to state, "New Source Performance Standard Subpart TTTT."

Air Quality

Page 6.2-2, 2nd Full Paragraph, should be revised as follows: "Each intercooled CTG will include dry low NOx combustors, SCR equipment for NOx reduction and a catalyst to reduce CO and VOC emissions."

Public Health

Pages 6.3-9 and 6.3-10, Last Paragraph. AEC does not include an onsite concrete batch plant. Please remove references to an onsite concrete batch plant.

Page 6.3-10, Third Paragraph, should be corrected to be consistent with the record as follows: "The predicted chronic health index at the PMI, MEIR, MEIW, and maximum exposed sensitive receptor are ~~0.026, 0.00047, 0.0026, 0.00047...~~"

Page 6.3-15, First Paragraph, should be corrected as follows: "The maximum resident chronic HI and acute HI are ~~0.0028 and 0.0018~~ 0.0028 and 0.018, respectively." (Note that it's listed correctly in Public Health Table 4 on the same page.)

¹ See PMPD page 6.2-21.

Environmental Assessment

Biological Resources

Page 7.1-2, paragraph 3, states “Various biological resources surveys of the site, its sewer pipeline with a 100-foot buffer, laydown areas and vicinity have occurred, including one performed by the Applicant in September 2011, and supplemental surveys in 2013 and 2014.”⁶⁹ This paragraph should be revised to include the 2015 and 2016 supplemental surveys, as noted in the discussion on Southern Tar Plant (page 7.1-12) as follows: ““Various biological resources surveys of the site, its sewer pipeline with a 100-foot buffer, laydown areas and vicinity have occurred, including one performed by the Applicant in September 2011, and supplemental surveys in 2013, 2014, 2015, and 20142016.”

Condition BIO-8

Page 7.1-17, states “However, Intervenor, Los Cerritos Wetlands Land Trust submitted uncontroverted evidence that burrowing owls have been observed less than 5,000 feet from the project site utilizing drainage pipes and ground squirrel burrows for cover, and has been documented nesting in degraded areas on the Seal Beach Wildlife refuge.” The Applicant disagrees that such evidence was uncontroverted. The Trust reports that burrowing owl was observed (but not documented) near the project site. It should be noted that, burrowing owls have never been detected within the AEC site, including the former tank farm, and the site is located outside of the current breeding range for this species. (Ex. 1070, p. 22; Ex. 2000, p. 4.2-21.) Burrowing owl was documented in the general vicinity of Seal Beach in 1980-1981. (Ex. 1047, p. 5.2-5.)

The statement “that there is moderate potential for burrowing owl to currently inhabit the project site where the former tank farm once existed” (PMPD, p. 7.1-17) implies that burrowing owl habitat exist on the AEC site, which is not correct. While there is a low potential for burrowing owls to occur on the project site, based on the biological resources surveys conducted by the Applicant, burrowing owls do not currently inhabit the project site and suitable habitat does not occur on the site. (Ex. 1070, p. 22; Ex. 2000, p. 4.2-21.)

The recommendation to conduct surveys year-round is not justified by the facts or any identified adverse impact to burrowing owls and the Applicant believes that pre-construction clearance surveys should suffice in further reducing any potential impacts, already less-than-significant, to burrowing owls. As such, the Applicant requests BIO-8 be revised to clearly state that burrowing owl surveys are limited to preconstruction surveys as follows:

“Pre-construction nest surveys, including burrowing owl surveys, shall be conducted if construction or demolition activities on the project site or wastewater pipeline will occur from January 1 through August 31. ~~In addition, burrowing owl survey shall be conducted prior to any ground disturbing activity year-round.~~ * * *”

Cultural Resources

Page 7.3-2, Cultural Resources Figure 1, should be revised to reflect that the construction access road was eliminated from the project description (see TN# 210632).

Page 7.3-3, Cultural Resources Figure 2, should be revised to reflect that the construction access road was eliminated from the project description (see TN# 210632).

Page 7.3-9, paragraph 1, second sentence should be revised, changing “AES” to “AEC” as follows: “Both Channels are located outside of the boundaries of the proposed AEC, and there is no evidence of any potential for cumulative impacts that would affect the significance of these two resources.”²⁴”

Local Impact Assessment

Land Use

Page 8.1-3, City of Long Beach Zoning, third bullet states “PD-1, Subarea 22(b) (wastewater pipeline): Land uses are designated residential with accommodations for a golf course”, however, this portion of the sewer line was removed from the project description (see TN#210632). Therefore, this bullet can be deleted.

Page 8.1-4, Land Use Figure 1, General Plan Land Use Designations, should be revised to reflect the portion the sewer line that was removed from the project description (see TN# 210632).

Page 8.1-5, Land Use Figure 2, Zoning and Subdivision Ordinance, should be revised to reflect the portion of the sewer line that was removed from the project description (see TN# 210632).

Page 8.1-13, Land Use Table 1, Laws, Ordinances, Regulations, and Standards, SEADIP, Subarea 22(b) references a portion of the sewer line that was eliminated from the project description. The segment of the sewer line in Subarea 22(b) was removed from the project description (see TN# 210632). Therefore, this reference can be deleted.

Traffic and Transportation

Page 8.2-6, Traffic and Transportation Figure 3, Alamitos Energy Center – Heavy Haul Routes, should be revised to reflect the route presented in TN# 210590, referenced in Ex. 2014, p. 4.10-45.

Noise and Vibration

Page 8.4-5, first paragraph. This paragraph references condition of certification NOISE-9, which is not proposed in the PMPD, and which Staff deleted in the Final Staff Assessment due to the less than significant impacts from concrete pours.² Please delete references to NOISE-9 from the last two sentences of this paragraph and delete Finding of Fact # 10 (p. 8.4-21).

Page 8.4-6, paragraph before Table 3: The last sentence should be revised as follows to avoid confusion: “As shown in **Noise Table 8** below, this silenced steam blow would amount to a range of 56-61 dBA at M1 through M3 with a 2-6 dBA increase over the existing ambient levels at these locations; ~~Since the increase will be less than 5 dBA, therefore,~~ steam blow activity would be less than significant. (See, Ex. 2000, p. 4.6-15.)”

Visual Resources

Page 8.5-19, third paragraph in the Summary of Project Environmental Effects section. In the 10th line, change the reference from “KOP 4” to “KOP 3.”

² See the discussion on pages 4.6-28 and 4.6-29 of Exhibit #2000.

Compliance Conditions

Appendix A, Page 58: COC AQ-SC9

Page 60, Equipment Table, The table listings for Simple Gas Turbine 4 (SCGT-4) are incorrect and should be revised as follows:

ID No.	Equipment Descriptions
Simple Gas Turbine 4 (SCGT-4)	
D203	SCGT- 14 General Electric Model LMS-100PB, natural gas simple-cycle, 100.438 MW at 59 degrees Fahrenheit
C205	SCGT- 14 CO Oxidation catalyst
C206	SCGT- 14 Selective Catalytic Reduction with aqueous ammonia
S208	SCGT- 14 Turbine Stack, height of 80 feet and diameter of 13.5 feet

Appendix A, Page 73, COC AQ-A17: Equation Parameter ‘c’ misstates the oxygen percentage for correction of the auxiliary boiler at 15% oxygen. The correct value should be 3% and the condition should be revised as follows: c = change in measured NOx across the SCR (ppmvd at 3% O2), consistent with FDOC Condition A195.16.

Appendix A, Page 18, COC BIO-8: Revise BIO-8 as recommended in the discussion of Biological Resources above.

Appendix A, Page 29, COC CUL-1: CUL-1 contains a capitalized term, “Cultural Resources Ground Disturbance”, which is not defined in either the PMPD, the condition of certification, or verification language. The Applicant recommends that the condition be revised to replace “Cultural Resources Ground Disturbance” with “ground disturbance”.

Appendix A, Page 32, COC CUL-3: CUL-3 contains a numbered list of elements and measures that the CRMMP should include. There appears to be a typographical error in the numbering of the elements and measures on page 32.

Appendix A, Page 41, COC CUL-7: Replace “iscovery” with “discovery”.

Appendix A, Page 175, COC TRANS-8: #1, includes a repeated phrase (“status until”) and should be revised as follows:

1. Submit a letter to the Federal Aviation Administration (FAA) requesting a Notice to Airmen (NOTAM) be issued advising pilots of the location of the power plant and recommending avoidance of overflight of the project site. The letter should also request that the NOTAM be maintained in active status until ~~status until~~ all navigational charts and Airport Facility Directories (AFDs) have been updated.

Appendix A, Page 188, COC VIS-3:

The word “Verification” appears to have been inadvertently deleted for Condition of Certification VIS-2. Please add the word “Verification” as set forth in the FSA, as follows:

*** D. A procedure for monitoring for and replacement of unsuccessful plantings for the life of the project.

The plan shall not be implemented until the project owner receives final approval from the CPM.

Verification: The landscaping plan shall be submitted to the CPM for review and approval and simultaneously to the city of Long Beach for review and comment at least 90 days prior to installation. * * *