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STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:)
)
Application for Certification for the) Docket No. 13-AFC-01
Alamitos Energy Center)

ALAMITOS ENERGY CENTER
Response to Staff’s Response to the Applicant’s Proposed Changes to the Language of
SOIL&WATER-6 and -7

AES Alamitos Energy, LLC (the “Applicant”) submits this response to *Staff’s Response to the Applicant’s Proposed Changes to the Language of SOIL & WATER-6 and -7* (“Staff’s Response”).¹ The Applicant disagrees with Staff’s assertions regarding the requirements of Section 1304 of the Commission’s regulations and objects to Staff’s proposed revisions to SOIL&WATER-6 and 7.

Staff’s Response asserts that the provisions of proposed SOIL&WATER-6 and-7, which impose a limitation on the use of sanitary water² and metering of such uses, by the Alamitos Energy Center are necessary to “satisfy the requirements of Title 20, Section 1304.” This is incorrect. Section 1304(a)(3)(A)(1)(c)-(d) require only that a power plant owner provide:

- c. the daily average and daily maximum water use volumes in gallons for *all power plant purposes*;
- d. the monthly and annual amounts of water used for *all power plant purposes* in acre-feet; and
- e. the metering technology used to measure and track water use at the power plant and the frequency at which meter readings are recorded (hourly, daily, weekly, monthly or annually).

Section 1304 requires reporting of water use volumes for *all power plant purposes*. Section 1304 does not require a limitation on sanitary uses, nor does it require separate metering, tracking, or reporting of the types of water used at the Alamitos Energy Center. Therefore, there

¹ TN#: 216591.

² Sanitary water is the water used at sinks, toilets, showers, dishwashers, and other facilities. Ex. pp. 5.15-16

are no laws, ordinances, regulations, or standards (“LORS”) requiring separate metering of the different water uses on the project site.

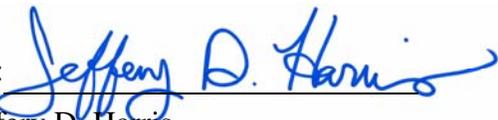
Similarly, Schedule 3A(1) and 3A(2) of the CEC-1304 QFER form, which implement Section 1304 of the Commission’s regulations, do not require a limitation on sanitary uses, nor do the forms require separate metering, tracking, or reporting of the types of water used at the Alamos Energy Center. Such information is to be provided only if available or if it can be reasonably estimated.³ Therefore, the CEC-1304 QFER form does not provide a basis for asserting that a limitation on, and metering of, water used for sanitary purposes is required by LORS.⁴

Finally, the Applicant objects to Staff’s proposal for further limitation of the amount of sanitary water that can be used at the project site. There is no rational reason for the Alamos Energy Center to be restricted to 1.3 acre-feet/year of water for both sanitary and landscaping water uses.

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³ See, Form CEC-1304, Schedule 3A(1) and (2).

⁴ Nor can the CEC-1304 QFER form, which implements the regulation, be read as providing an additional LORS requirement.