

## DOCKETED

<b>Docket Number:</b>	17-SIT-01
<b>Project Title:</b>	2017 Incident Reporting for Power Plant Compliance
<b>TN #:</b>	221787
<b>Document Title:</b>	Compliance Incident Reporting - Letter to Interested Parties - 20171115
<b>Description:</b>	*** THIS DOCUMENT SUPERSEDES TN 221774 *** - Compliance Incident Reporting - Letter to Interested Parties - 20171115 (including attached May 2017 Letter)
<b>Filer:</b>	Mary Dyas
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	11/15/2017 1:42:05 PM
<b>Docketed Date:</b>	11/15/2017

**CALIFORNIA ENERGY COMMISSION**

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
[www.energy.ca.gov](http://www.energy.ca.gov)



November 14, 2017

**TO:** Interested Parties

**FROM:** Christine Root, Compliance Office Manager

**SUBJECT: COMPLIANCE INCIDENT REPORTING**

In May 2017, the attached letter was sent to all Energy Commission jurisdictional power plant owners requesting that they comply with **Compliance Condition COM-13: Incident Reporting Requirements** following an incident at their facility. While **COM-13** is not a formal condition of certification for all licensed facilities, the Energy Commission has recognized a need to be made aware of events that may impact public health and safety or operational readiness of projects under our jurisdiction in a timelier manner. Therefore, the Energy Commission requested that power plant owners voluntarily report incidents using the guidelines of **COM-13**.

Based on project owner responses to the letter and the requirements, we would like to provide clarification of the intent of the request and to specify when the Energy Commission should be notified following an incident.

Staff provides proposed revisions, as noted below. New text is shown in **bold underline** and deleted text is shown in ~~strikethrough~~.

### **Compliance Incident Reporting**

**The Energy Commission needs timely and clear information on incidents that have occurred or are occurring at each jurisdictional power plant which result in an emergency response, a potential security breach, or a media inquiry.**

The project owner shall notify the CPM within one ~~(1)~~ hour after it is safe and feasible, of any incident at the facility that results in any of the following:

1. The activation of onsite emergency fire suppression equipment to combat a fire or any other use of this equipment outside of routine maintenance, readiness testing, or training ~~An event of any kind that causes a "Forced Outage" as defined in the CAISO tariff;~~
2. The activation of onsite emergency fire suppression equipment to combat a fire;

3. Any chemical, gas or hazardous materials release that could result in potential health impacts to the surrounding population; or create an off-site odor issue; **or release of particulates that could damage property or biota**; or
4. Notification to, or **emergency** response by, any ~~off-site emergency response~~ federal, state or local agency regarding a fire, hazardous materials release **that could be considered hazardous based on composition and concentrations in the environment**, on-site injury, or any physical or cyber security incident.

Notification shall describe the circumstances, status, and expected duration of the incident. If warranted, as soon as it is safe and feasible, the project owner shall implement the safe shutdown of any non-critical equipment and removal of any hazardous materials and waste that pose a threat to public health and safety and to environmental quality (also, see specific conditions of certification for the technical areas of Hazardous Materials Management and Waste Management).

Within six business days of an incident, the project owner shall submit to the CPM a detailed incident report, which includes, as appropriate, the following information:

1. A brief description of the incident, including its date, time, and location;
2. A description of the cause of the incident, or likely causes if it is still under investigation;
3. The location of any off-site impacts;
4. Description of any resultant impacts;
5. A description of emergency response actions associated with the incident;
6. Identification of responding agencies;
7. Identification of emergency notifications made to federal, state, and/or local agencies;
8. Identification of any hazardous materials released and an estimate of the quantity released;
9. A description of any injuries, fatalities, or property damage that occurred as a result of the incident;
10. Fines or violations assessed by other agencies;
11. Name, phone number, and e-mail address of the appropriate facility contact person(s) having knowledge of the incident; and
12. Initial corrective actions to prevent a recurrence of the incident.

**After the initial 6-day report, the project owner shall provide monthly status reports regarding the ongoing activities being taken to remedy the impacts of the incident. The CPM will notify the project owner when monthly reporting is no longer required. The CPM may provide written guidance outlining the actions necessary to conclude the reporting requirement.**

The project owner shall maintain all incident report records for the life of the project, including closure. After the submittal of the initial report for any incident, the project owner shall submit to the CPM copies of incident reports within 48 hours of a request. If the project owner requests that an incident notification or report be designated as a confidential record and not publicly disclosed, the project owner shall submit copies of notices or reports with an application for confidential designation in accordance with California Energy Commission regulations.

The Energy Commission will be holding a workshop to discuss the proposed Compliance Incident Reporting guidelines and the proposed Compliance Docketing Policy to obtain further input (see attached **Notice of Staff Workshop**).

We invite you to provide written comments on the above revised incident reporting language prior to the workshop date. To use the Energy Commission's electronic commenting feature, go to the Energy Commission's Siting Transmission and Environmental Protection webpage at <http://www.energy.ca.gov/siting/>. Under the Special Siting Division Meetings and Workshops, Compliance Docketing Policy and Compliance Incident Reporting Workshop, click on the "Submit e-Comment" link, and follow the instructions in the on-line form. Please include the Docket number **17-SIT-1**, and "**Compliance Incident Reporting**" in the title of your comments. When receipt of your document is confirmed by the Energy Commission's Docket Unit, you will receive an e-mail notification with a link to your document.

Written comments may also be mailed or hand-delivered to:

California Energy Commission  
Dockets Unit, MS-4  
Docket No. **17-SIT-1**  
1516 Ninth Street  
Sacramento, CA 95814-5512

All comments and materials filed with and approved by the Dockets Unit will be added to the Docket Log and become publicly accessible on the Energy Commission's webpage.

We look forward to discussing incident reporting and your comments at the workshop.

If you have any questions or concerns, please contact Mary Dyas, Compliance Project Manager, at (916) 651-8891, or by fax to (916) 654-3882, or via e-mail at [mary.dyas@energy.ca.gov](mailto:mary.dyas@energy.ca.gov)

Sincerely,

A handwritten signature in black ink that reads "Christine Root". The signature is written in a cursive style with a horizontal line extending to the right from the end of the name.

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CHRISTINE ROOT  
Compliance Office Manager  
Siting, Transmission, & Environmental Protection  
Division

Siting Compliance Notifications Listserv

**CALIFORNIA ENERGY COMMISSION**

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
www.energy.ca.gov



May 8, 2017

Plant Manager  
Street Address  
City, State Zip

**SUBJECT: Incident-Reporting Requirements**

Dear Plant Manager,

The California Energy Commission is responsible for the review and regulation of California thermal power plants 50 megawatts and greater. The California Energy Commission (Energy Commission) is undertaking an effort to ensure that we are informed of events that may impact public health and safety or operational readiness of projects under our jurisdiction.

More recent Energy Commission Decisions contain Compliance Condition of Certification **COM-13: Incident-Reporting Requirements** which states the following:

The project owner shall notify the CPM within 1 one hour after it is safe and feasible, of any incident at the facility that results in any of the following:

1. An event of any kind that causes a "Forced Outage" as defined in the CAISO tariff;
2. The activation of onsite emergency fire suppression equipment to combat a fire;
3. Any chemical, gas or hazardous materials release that could result in potential health impacts to the surrounding population; or create an off-site odor issue; or
4. Notification to, or response by, any off-site emergency response federal, state or local agency regarding a fire, hazardous materials release, on-site injury, or any physical or cyber security incident.

Notification shall describe the circumstances, status, and expected duration of the incident. If warranted, as soon as it is safe and feasible, the project owner shall implement the safe shutdown of any non-critical equipment and removal of any hazardous materials and waste that pose a threat to public health and safety and to environmental quality (also, see specific conditions of certification for the technical areas of Hazardous Materials Management and Waste Management).

Within six business days of the incident, the project owner shall submit to the CPM a detailed incident report, which includes, as appropriate, the following information:

1. A brief description of the incident, including its date, time, and location;
2. A description of the cause of the incident, or likely causes if it is still under investigation;
3. The location of any off-site impacts;

## Incident-Reporting Requirements

April 4, 2017

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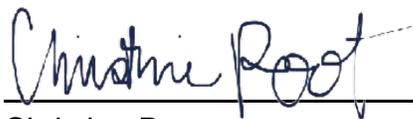
4. Description of any resultant impacts;
5. A description of emergency response actions associated with the incident;
6. Identification of responding agencies;
7. Identification of emergency notifications made to federal, state, and/or local agencies;
8. Identification of any hazardous materials released and an estimate of the quantity released;
9. A description of any injuries, fatalities, or property damage that occurred as a result of the incident;
10. Fines or violations assessed or being processed by other agencies;
11. Name, phone number, and e-mail address of the appropriate facility contact person having knowledge of the event; and
12. Corrective actions to prevent a recurrence of the incident.

The project owner shall maintain all incident report records for the life of the project, including closure. After the submittal of the initial report for any incident, the project owner shall submit to the CPM copies of incident reports within 48 hours of a request. If the project owner requests that an incident notification or report be designated as a confidential record and not publicly disclosed, the project owner shall submit copies of notices or reports with an application for confidential designation in accordance with California Energy Commission regulations.

All power plants under Energy Commission jurisdiction are asked to follow **COM-13**, as discussed above, after an incident. This is effective as of the date of this letter.

If you have any questions or concerns, please contact the CPM Name, Compliance Project Manager, at (916) 65#-####, or by fax to (916) 654-3882, or via e-mail at [firstname.lastname@energy.ca.gov](mailto:firstname.lastname@energy.ca.gov)

Sincerely,



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Christine Root  
Compliance Office Manager  
Siting, Transmission, & Environmental Protection  
Division