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| Docket Number: | 15-AFC-02 |
| Project Title: | Mission Rock Energy Center |
| TN #: | 221942 |
| Document Title: | VCAPCD Response to comment letter From Karl Krause re Mission Rock Energy Center Preliminary Determination of Compliance |
| Description: | Letter from Ventura County Air Pollution Control District (VCAPCD) |
| Filer: | Raquel Rodriguez |
| Organization: | Ventura County Air Pollution Control District |
| Submitter Role: | Public Agency |
| Submission Date: | 12/12/2017 12:11:40 PM |
| Docketed Date: | 12/12/2017 |



December 12, 2017

Mr. Karl Krause
154 Via Solana
Santa Paula, CA 93060

Subject: Mission Rock Energy Center Preliminary Determination of Compliance

Mr. Krause:

Thank you for your comment letter, of November 8, 2017, regarding the Mission Rock Energy Center Preliminary Determination of Compliance (PDOC).

District staff agrees that pursuant Rule 26.9.C we must review a Determination of Compliance in the same manner as an Authority to Construct (ATC). Staff also agrees we do not issue an ATC unless the application shows compliance with all applicable requirements.

District staff's position is that there is no debate that a Final Determination of Compliance (FDOC) is equivalent to an ATC. This means District staff will not issue a FDOC unless the applicant demonstrates compliance with all applicable air quality requirements.

I have consulted with our legal counsel on this matter, and we believe the District did not err by issuing the PDOC and noting the applicant has not yet demonstrated compliance with our emission offset requirements. I also consulted with California Energy Commission (CEC) staff and was informed this was consistent with actions taken by other California air districts in similar situations. It is important to note that the PDOC is only a preliminary document. If and when the applicant demonstrates compliance with our emission offset requirements we will require another 45-day public comment period for the proposed emission offset provisions in the PDOC. This additional 45-day public review period is the same length as the review period for the remainder of the PDOC. This means there will be no change in the opportunity for the public to review all provisions of the PDOC.

As a policy position, we view the PDOC is the opportunity for the public to weigh in on air quality issues before we propose a FDOC, which will have another public review period.

Now that District staff has experience in preparing both a PDOC and FDOC for a power plant, I have directed staff to include Rule 26.9 on our Rule Development Calendar. This will allow us to propose amendments based on our experience. Of course, the rule amendment process will include opportunities for public input.

Mr. Karl Krause
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Please contact me at 805/645-1440 or mike@vcapcd.org if you any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike V.", is positioned above the typed name.

Michael Villegas
Air Pollution Control Officer

- c. Jeffrey Barnes, County Counsel (via email)
- Kerby Zozula, VCAPCD
- David Pollock, Chair – Air Pollution Control Board (via email)