

## DOCKETED

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<b>Project Title:</b>	NCPA Geothermal Project No. 3 - Compliance
<b>TN #:</b>	221943
<b>Document Title:</b>	Notice of Determination Post Certification Petition to Install a New Sulfur Processing Building and Transfer Existing Equipment
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**CALIFORNIA ENERGY COMMISSION**

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**NOTICE OF DETERMINATION  
POST CERTIFICATION PETITION  
TO INSTALL A NEW SULFUR PROCESSING BUILDING AND  
TRANSFER EXISTING EQUIPMENT AT THE NORTHERN  
CALIFORNIA POWER AGENCY GEOTHERMAL PLANT-2  
(81-AFC-03C)**

On July 7, 2016, California Energy Commission staff docketed the Northern California Power Agency's (NCPA) petition to modify Plant-2 (formerly Plant-3) by replacing an existing sulfur processing building (NCPA 2016). The 110-megawatt (MW) facility was certified by the Energy Commission on December 29, 1982, and began commercial operation on October 1, 1985. NCPA's geothermal facilities are located near the town of Anderson Springs, in Sonoma County.

NCPA requested the petition to be placed on hold in 2016. On August 14, 2017, NCPA requested the petition to proceed.

**DESCRIPTION OF PROPOSED MODIFICATIONS**

NCPA is proposing to replace and lower the height of its sulfur processing building, part of the facility's Stretford hydrogen sulfide (H<sub>2</sub>S) abatement system. The modification would install a new sulfur processing building and transfer the existing equipment with updated electrical wiring and protection. Within the existing facility yard, the new building would require two to three foot deep excavations for new footings and a new drainage pipe tie-in of approximately two feet wide by 10 feet deep by 20 feet long to connect to an existing catchment basin. The building replacement would be constructed under a public works contract. Construction activities are anticipated to take approximately six weeks.

The petition is available on the Energy Commission's NCPA-2 project webpage at [http://www.energy.ca.gov/sitingcases/pre1999\\_page/index.php?xkm=ajdkha2385duhkasd199dsasjd5598fhajkhs](http://www.energy.ca.gov/sitingcases/pre1999_page/index.php?xkm=ajdkha2385duhkasd199dsasjd5598fhajkhs)

This Notice of Determination is being provided to interested parties and property owners adjacent to the facility site, is being mailed to the NCPA-2 mail list, and sent electronically to the NCPA-2 listserv.

**ENERGY COMMISSION STAFF REVIEW**

Energy Commission technical staff reviewed the petition for potential environmental effects and consistency with applicable laws, ordinances, regulations, and standards (LORS). Staff has determined that the technical or environmental areas of Biological Resources, Efficiency, Hazardous Materials Management, Public Health, Reliability, Transmission Line Safety and Nuisance, and Transmission System Engineering are not affected by the proposed changes.

For the technical areas of Air Quality, Cultural Resources, Facility Design, Geological and Paleontological Resources, Land Use, Noise and Vibration, Socioeconomics, Soil and Water Resources, Traffic and Transportation, Visual Resources, Waste Management, and Worker Safety and Fire Protection, staff has determined that impacts on the environment are less than significant and no revised or new conditions of certification are needed to ensure the project remains in compliance with all applicable LORS. In addition, the project modification would not affect any population including the environmental justice population as shown in the Environmental Justice Population Table below.

Staff notes the following for each of these technical areas:

- **Air Quality.** There are no proposed changes to the operation of the emission control systems required in Air Quality Condition of Certification Condition 3.

The construction would require excavation for building footings and a drain modification. The entire construction project is expected to take approximately 6 weeks from the time the project is awarded.

Use of the construction equipment for the proposed project modification would be temporary and therefore stationary source air permits would not be required through the Northern Sonoma County Air Pollution Control District (NSCAPCD). Any diesel equipment used would still be required to meet the State of California diesel requirements. As applicable, the diesel equipment used would need to be registered through the Statewide Portable Equipment Registration Program or Diesel Off-road On-line Reporting System and associated equipment permits would be retained onsite. The equipment is expected to comply with all applicable laws, ordinances, regulations, and standards and significant impacts to air quality are not expected from the associated short-term construction.

The proposal includes coating the new structure with non-reflective paint. Coating operations can be subject to both state and local air district regulations. The NSCAPCD has rules and regulations regarding coating operations. According to the NSCAPCD, this proposed action would most likely be considered maintenance and a separate permit would not be required. Any coating application would need to be performed in compliance with all existing rules and regulations.

Impacts to air quality are expected to continue to be less than significant with the implementation of the conditions of certification. In addition, there are no proposed changes to the air quality conditions of certification. Therefore, staff is proposing to process the request as a Staff-Approved Project Modification.

- **Cultural Resources.** Staff concludes that the proposed amendment would not affect cultural resources. Cultural resources have not been identified in the area proposed for modification, nor are impacts on cultural resources expectable here during ground disturbance because of the age of the existing grade. In the unlikely event that cultural resources are encountered during construction of the proposed modification, the conditions of certification for the original project would mitigate such an impact.
- **Facility Design.** Installation of the new sulfur processing building and associated electrical wiring and protection must comply with the 2016 California Building Code (CBC). A Chief Building Official must be retained to review the drawings and calculations for the building and associated electrical connections, and to inspect their final installations to ensure compliance with the 2016 CBC.
- **Geological and Paleontological Resources.** Based on the information provided by the project owner, staff concludes the proposed modifications would have no significant impact on geologic resources or impacts to public health and safety due to geologic hazards. The proposed construction would not require any change to the conditions of certification related to geology or geologic hazards adopted by the Energy Commission in its Final Decision on December 29, 1982. The approved conditions of certification in the Final Decision, which include compliance with current geology LORS, would reduce risks associated with geology and geologic hazards to a less than significant level.
- **Land Use.** The proposed replacement of the sulfur processing building would comply with the design and performance standards for the Resource and Rural Development (RRD) zone specified in the Sonoma County Zoning Ordinance. The December 1982 Commission Decision did not require any conditions of certification. The proposed modifications would not affect the technical area of land use.
- **Noise.** Construction work associated with this petition would be temporary and would occur during the daytime hours consistent with the Sonoma County Noise Ordinance. Any noise generated during these activities would result in a less-than-significant impact with implementation of the existing Noise conditions of certification adopted in the Energy Commission Decision. Operational noise would not be affected by this petition.
- **Socioeconomics.** The proposed amendment would have a less than significant socioeconomic impact as the associated activities (replace sulfur processing building) would require a minimal workforce (maximum 18 workers on site) for six weeks. The proposed new sulfur-processing building would not be considered an assessable area for the collection of school impact fees, and therefore would not affect Condition of Certification 3-5 in the December 1982 Energy Commission Decision, which requires compliance with the terms of the final school impact mitigation agreement.

- **Soil and Water.** Based on the information provided by the project owner, staff concludes the proposed modifications would have no significant impact on soil and water resources. The proposed construction would not require any change to the conditions of certification related to soil and water resources adopted by the Energy Commission in its Final Decision on December 29, 1982. The approved conditions of certification in the Final Decision, which include compliance with current soil and water LORS, would reduce risks associated with soil and water resources to a less than significant level.
- **Traffic and Transportation.** The proposed construction of a new sulfur processing building and removal of an existing building would generate approximately 18 two-way worker vehicle trips per day plus material truck trips over the course of approximately 6 weeks. The limited amount of construction traffic in the remote location of the project would have a less than significant impact on roadway level of service and intersection delay.
- **Visual Resources.** The proposed construction of a sulfur-processing building and removal of an existing building would not be visible from sensitive viewing areas located offsite and, therefore, there would be no impacts to visual resources.
- **Waste Management.** The demolition of the exiting sulfur processing building and its replacement with a new building would not result in significant impacts related to waste management. Compliance with existing LORS would adequately mitigate for demolition and construction waste associated with the proposed modification.

Staff concludes that compliance with current Waste LORS and Conditions of Certification 11-5 and 11-7 specified in the Energy Commission Final Decision would mitigate the effects of waste management at the site. Condition of Certification 11-5 requires construction waste to be disposed of in a certified construction disposal site. Condition of Certification 11-7 requires the owner to prepare a final waste disposal plan for all the operational waste that will be produced during the lifetime of the NCPA-2 power plant (CEC 1982).

- **Worker Safety and Fire Protection.** The installation of the replacement sulfur-processing building would not have a significant effect on power plant worker safety. By continuing to comply with the existing conditions of certification, the proposed installation of a new sulfur processing building would not have a significant effect on the environment, and would continue to comply with all applicable LORS. Activities to be performed during construction of the building would comply with worker safety and fire safety requirements already contained in health and safety plans utilized for construction of the main facility.

The **Environmental Justice – Figure 1** shows 2010 census blocks in the six-mile radius of the NCPA 2 with a minority population greater than or equal to 50 percent. The population in these census blocks represents an EJ population based on race and ethnicity as defined in the US Environmental Protection Agency’s (EPA) *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*.

Based on California Department of Education data in the **Environmental Justice – Table 1** and presented in **Environmental Justice – Figure 2**, staff concluded that the percentage of those living in the two school districts in a six mile radius of the project site and enrolled in the free or reduced price meal program are comparatively fewer than those in the reference geographies, and thus are not considered an EJ population based on poverty as defined in EPA’s *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*.

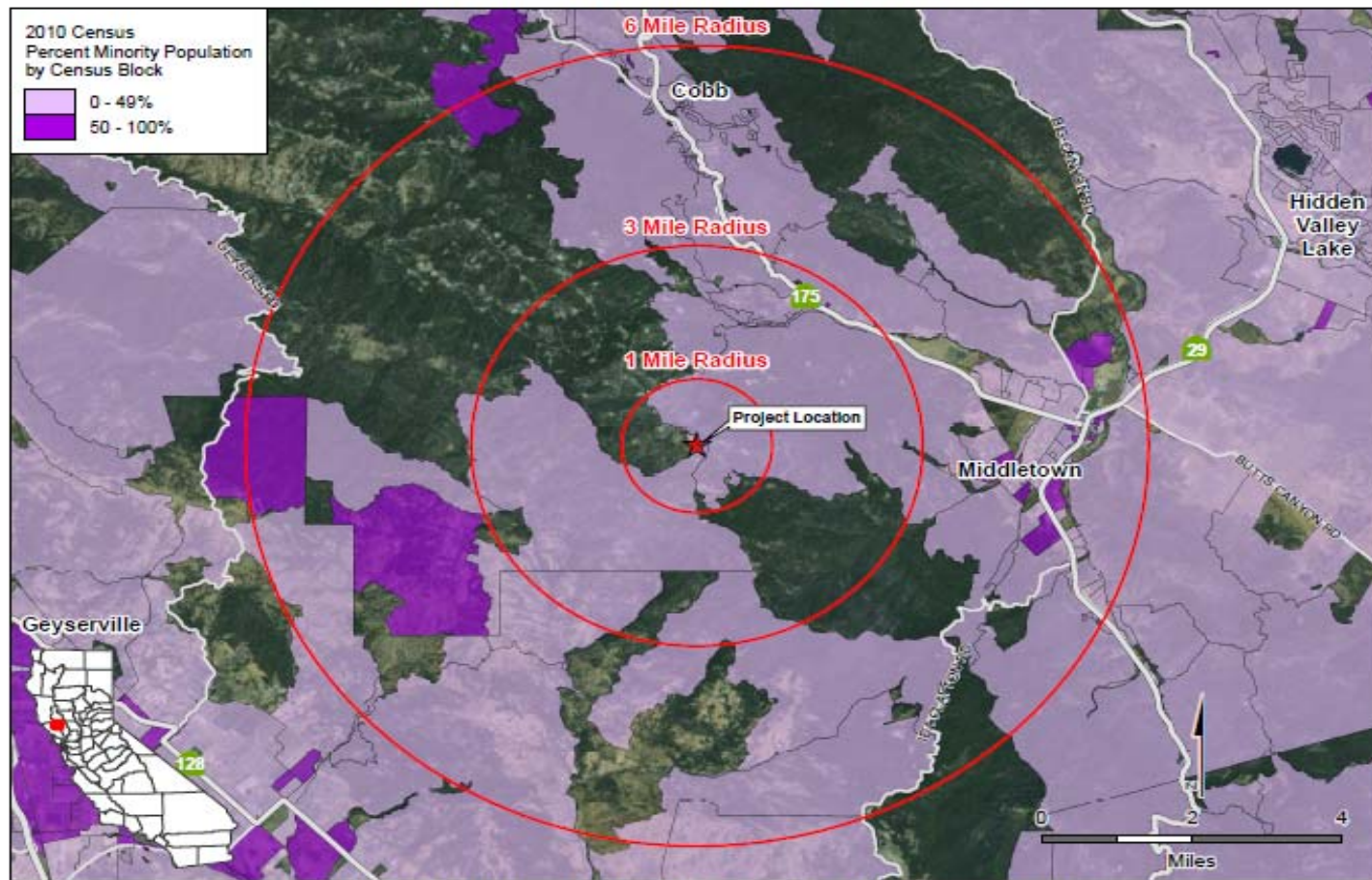
**Environmental Justice – Table 1  
 Low Income Data within the Project Area**

SCHOOL DISTRICTS IN SIX-MILE RADIUS	Enrollment Used for Meals	Free or Reduced Price Meals	
Middletown Unified School District	1,654	1,104	66.7%
REFERENCE GEOGRAPHY			
Lake County	9,223	6,993	75.7%
Alexander Valley Union Elementary School District	123	32	26.0%
REFERENCE GEOGRAPHY			
Sonoma County	71,138	31,375	44.1%
<b>Source:</b> CDE 2016. California Department of Education, DataQuest, Free or Reduced Price Meals, District level data for the year 2015-2016, < <a href="http://dq.cde.ca.gov/dataquest/">http://dq.cde.ca.gov/dataquest/</a> >.			

***Environmental Justice Conclusions***

Staff has determined that the impacts of the proposed modifications would be less than significant or less than significant with implementation of existing conditions of certification. Therefore, impacts would be less than significant for any population in the project’s six-mile radius, including the EJ population represented in **Environmental Justice – Figure 1**.

**ENVIRONMENTAL JUSTICE - FIGURE 1**  
NCPA #2 (formerly NCPA #3) - Census 2010 Minority Population by Census Block



CALIFORNIA ENERGY COMMISSION - SITING, TRANSMISSION AND ENVIRONMENTAL PROTECTION DIVISION  
SOURCE: Census 2010 PL 94-171 Data

Staff's conclusions for each technical or environmental area are summarized in the table on the following page.

**Summary of Staff Responses to Petition**

TECHNICAL/ENVIRONMENTAL AREAS REVIEWED	STAFF RESPONSE			Revised Conditions of Certification Recommended
	Technical Area Not Affected	No Significant Environmental Impact or LORS Inconsistency*	Process As Amendment	
Air Quality		X		
Biological Resources	X			
Cultural Resources		X		
Efficiency	X			
Facility Design		X		
Geological and Paleontological Resources		X		
Hazardous Materials Management	X			
Land Use		X		
Noise & Vibration		X		
Public Health	X			
Reliability	X			
Socioeconomics		X		
Soil & Water Resources		X		
Traffic & Transportation		X		
Transmission Line Safety & Nuisance	X			
Transmission System Engineering	X			
Visual Resources		X		
Waste Management		X		
Worker Safety & Fire Protection		X		

\*There is no possibility that the proposed modifications would have a significant effect on the environment, and the modifications would not result in a change in or deletion of a condition adopted by the Commission in the Final Decision, or make changes that would cause project noncompliance with any applicable laws, ordinances, regulations, or standards (Cal. Code Regs., tit. 20, § 1769 (a) (2)).



## **ENERGY COMMISSION STAFF DETERMINATION**

Section 1769(a)(2), Title 20, California Code of Regulations states, “(w)here staff determines that there is no possibility that the modifications may have a significant effect on the environment, and if the modifications will not result in a change or deletion of a condition adopted by the commission in the final decision or make changes that would cause the project not to comply with any applicable laws, ordinances, regulations, or standards, no commission approval is required...”

Energy Commission staff has determined for this petition that:

- The modification would not have any significant effect on the environment;
- Existing conditions of certification are sufficient to cover the proposed modification without changes to, or deletions of, any conditions of certification; and
- The project as modified would maintain full compliance with applicable LORS.

Pursuant to section 1769(a)(2) and based on staff’s determinations, approval by the full Commission at a noticed Business Meeting is not required.

## WRITTEN COMMENTS

Any person may file an objection to staff's determination within 14 days of the date of this notice on the grounds that the project modification does not meet the criteria set forth in section 1769(a)(2). Absent any relevant objections, this petition will be approved 14 days after this notice is filed. An objection to staff's determination may be submitted using the Energy Commission's e-Commenting feature, as follows: Go to the Energy Commission's NCPA-2 webpage and click on either the "Comment on this Proceeding," or "Submit e-Comment" link. Provide contact information—a full name, email address, comment title, and either a comment or attached document. The comment title should be "[Your Name]'s Comments re NCPA-2 Determination." Type your comments into the "Comment Text" field, or upload a document with your comments. The maximum upload file size is 10MB, and only .doc, .docx, or .pdf attachments will be accepted. Enter the CAPTCHA that is used to prevent spamming. Then click on the "Agree and Submit your Comments" button to file your comments. When your comments are docketed, you will receive an email with a link to them on the facility webpage.

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

California Energy Commission  
Dockets Unit, MS-4  
Docket No. 81-AFC-03C  
1516 Ninth Street  
Sacramento, CA 95814-5512

All comments and materials filed with and accepted by the Dockets Unit will be added to the facility Docket Log and be publically accessible on the Energy Commission's webpage for the facility.

If you have questions about this notice, please contact John Heiser, Project Manager, at (916) 653-8236 or via email at [John.Heiser@energy.ca.gov](mailto:John.Heiser@energy.ca.gov).

For information on participating in the Energy Commission's review of the NCPA-2 petition, please contact the Energy Commission's Public Adviser at (916) 654-4489, or at (800) 822-6228 (toll-free in California). The Public Adviser's Office can also be contacted via email at [publicadviser@energy.ca.gov](mailto:publicadviser@energy.ca.gov). News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by e-mail at [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

Date: 12/12/2017

Original signed by \_\_\_\_\_  
**CHRIS DAVIS**, Siting Office Manager  
Siting, Transmission, & Environmental Protection Division

Mail List # 774  
NCPA listserv

## **REFERENCES**

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**NCPA 2016**, NCPA Plant 2 Petition to Amend – Replacement of sulfur processing building (TN#: 212148), July 7, 2016.