

DOCKETED

Docket Number:	19-SPPE-03
Project Title:	Sequoia Data Center
TN #:	235937
Document Title:	C! Individual Statement and Proposed Schedule
Description:	N/A
Filer:	Scott Galati
Organization:	DayZenLLC
Submitter Role:	Applicant Representative
Submission Date:	12/14/2020 4:36:36 PM
Docketed Date:	12/14/2020

Scott A. Galati
DAYZEN LLC
1720 Park Place Drive
Carmichael, CA 95608
(916) 441-6574

STATE OF CALIFORNIA

Energy Resources
Conservation and Development Commission

In the Matter of:

Application For Small Power Plant
Exemption for the **SEQUOIA BACKUP
GENERATING FACILITY**

DOCKET NO: 19-SPPE-03

**C1-SANTA CLARA LLC'S
INDIVIDUAL STATEMENT AND
PROPOSED SCHEDULE**

C1- Santa Clara LLC (C1) hereby files this Individual Statement and Proposed Schedule for its Sequoia Backup Generating Facility (SBGF) as directed by the Notice of Committee Conference (Notice) which was docketed on December 4, 2020 (TN235857). As directed by the Notice, C1, Intervenor Sarvey, and Staff participated in a “Meet and Confer” meeting on December 8, 2020 to attempt to resolve issues prior to the upcoming December 16, 2020 Committee Conference. The Bay Area Air Quality Management District (BAAQMD), although initially committed to attend, canceled on the day of the Meet and Confer meeting and chose not to participate in assisting the parties in answering the Committee’s questions. The General Counsel for the California Air Resources Board (CARB), Ellen Peters, did attend, but CARB did not bring the technical experts who had previously committed to attend the meeting and were necessary to jointly address the Committee questions.

C1 and Staff had its technical experts available and C1 hoped to build upon the technical discussions and apparent agreements on modeling reached at the Notice of Preparation (NOP) Staff workshop conducted for the Great Oaks South Backup Generation Facility (GOSBGF) on November 17, 2020. However, without the presence of those who are objecting to the approach for evaluating impacts the Commission has

unanimously approved for all previous data center SPPE proceedings, C1 finds it impossible to propose solutions or develop a technical way forward for the SBGF.

C1 again stresses that it is critical for the project and for the construction workers in the Bay Area to begin construction on the Sequoia Data Center. C1 agrees with Staff that the approach taken to evaluate cumulative and emergency impacts is legally defensible and any modeling effort will lead to answering the ultimate question; are emergency operations frequent enough in Silicon Valley Power's service territory to warrant a speculative analysis of air quality modeled effects?

It is fundamentally unfair for C1 to have to guess what evaluation approach may be acceptable to the BAAQMD and CARB when it appears that neither agency wishes to participate to discuss potential compromises for the SBGF.

Mr. Sarvey participated at the Meet and Confer and respectfully stated that he would file his own Individual Statement.

RESPONSE TO COMMITTEE QUESTIONS

The Notice requires answers to the following questions:

1a. *Is the Applicant's modeling, relied upon by Staff in the IS/PMND, adequate for the analysis of NO2 impacts from routine testing and maintenance operations? If not, describe why the analysis is not adequate and what would cure the described inadequacies?*

C1 believes that Applicant's modeling, relied upon and modified by Staff in the IS/MND, is not only adequate to evaluate potential NO2 impacts from routine testing and maintenance operations, it is conservative because it uses the seasonal average NO2 maximum background. As discussed in the GOSBGF workshop, CARB's technical modeler agreed with the approach. Also, C1 has committed to operating one engine at a time for such routine testing and maintenance activities. C1 believes no additional analysis is necessary for routine testing and maintenance activities.

1b. *Can scenario modeling be used to bound a range of potential impacts from emergency operations? Are there other options to assess impacts of emergency operations? If so, how long will it take to perform those options?*

C1 believes such modeling can be performed but reiterates that it would require speculative assumptions for modeling inputs. At the GOSBGF NOP Workshop, CARB's

technical expert agreed that the probability of a modeled impact could be part of the analysis. The experts in that workshop, including a modeler from the San Joaquin Valley Air Pollution Control District (SJVAPCD), agreed that such an analysis (Monte Carlo Analysis) would be useful in predicting whether the potential number of exceedances of a standard would be significant. In addition, all of the experts agreed that modeling the effects at receptors would be more appropriate. With that in mind, C1 can perform such modeling using a reasonable worst-case operation during an emergency. However, such results alone would misrepresent impacts and would literally be a guess. To understand such results, it would be important to know how often they might occur (most likely a limited number of hours per year and factoring in the potential frequency of an emergency in the first place). Such a probability analysis would clearly show that the probability of such impacts would be much lower than what was assumed in the IS/MND, which was simply based on the extremely low frequency of emergencies in SVP's service territory.

With that in mind, C1 can perform a modeling analysis and submit it for review. However, there is no agreement of what parameters should be used. C1 will endeavor to submit the analysis as soon as possible, identifying the basis for its assumptions likely in early January 2021.

To that end C1 requests that the Committee schedule a hearing within two weeks of its submittal to consider whether it needs to adopt an approach different than the more conservative approach already contained in the Proposed Decision. C1 request the Committee support consideration of the Proposed Decision at the February 10, 2021 Business Meeting.

Dated: December 14, 2020

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Scott A. Galati", with a horizontal line underneath it.

Scott A. Galati
Counsel to C1-Santa Clara, LLC