

DOCKETED

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STATE OF CALIFORNIA

Energy Resources
Conservation and Development Commission

In the Matter of:

Application For Small Power Plant
Exemption for the **GREAT OAKS
SOUTH BACKUP GENERATING
FACILITY**

DOCKET NO: 20-SPPE-1

SV1 STATUS REPORT NUMBER 2

SV1, in accordance with the Notice of Committee Conference and Related Orders (TN 234539), dated, August 31, 2020 (“Committee Orders”), hereby files this Status Report Number 2. SV1 has reviewed the Letter dated December 12, 2020 from the Bay Area Air Quality Management District (BAAQMD) to the CEC relating to Best Available Control Technology (BACT) for emergency backup generators (TN236091). The timing of the letter is most unfortunate and unfairly applies BACT standards retroactively. Notwithstanding the difficulty such abrupt action by the BAAQMD places on SV1, SV1 is working diligently to revise the design of the Great Oaks South Backup Generating Facility (GOSBGF) to accommodate the use of Tier 4 compliant backup emergency generators.

The work requires input from the manufacturer of the emergency generators proposed in the GOSBGF SPPE Application to enable a submittal of a revised project description, revised air quality modeling, and discussion of the use of urea on site, which is part of the equipment necessary for Tier 4 compliance. SV1 anticipates submittal of these items within the next 6 weeks. SV1 continues to agree with Staff that it has demonstrated that emergency operations are extremely unlikely and therefore modeling of emergency scenarios is unwarranted as it would be speculative analysis under the

California Environmental Quality Act (CEQA). Prior to the California Air Resources Board (CARB) last minute, untimely intervention in the Sequoia Backup Generating Facility (SBGF) SPPE process, every prior SPPE Final Decision agreed with Staff and Applicant that such modeling is not necessary. Given that CARB and the BAAQMD docketed a letter that if the SBGF used Tier 4 compliant emergency generators, which would reduce NOx emissions by over 90 percent, emergency modeling would be unnecessary¹, we specifically request the Committee to affirm that emergency modeling of emissions would be unnecessary. Direction from the Committee is required to avoid delays if the Committee orders such unnecessary modeling later in the process.

OUTSTANDING ITEMS

At the December 11, 2020 continued Scoping Meeting, Staff requested SV1 fill out the development compliance checklist included in the recently approved 2030 Greenhouse Gas Reduction Strategy, prepared by the City of San Jose. SV1 has completed this task demonstrating the GOSBGF and data center will comply with the San Jose 2030 Greenhouse Gas Reduction Strategy and has docketed it on January 15, 2020.

SV1 continues to wait for the VMT traffic related study to be completed. Once completed and received, SV1 will docket it. SV1 anticipates docketing the study in early February 2021.

Dated: January 15, 2021

Respectfully Submitted,



Scott A. Galati
Counsel to SV1

¹ TN235939, California Air Resources Board Comments - CARB-BAAQMD Joint Recommendation, attached.