

DOCKETED

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Project Title:	La Paloma Generating Project
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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**LA PALOMA GENERATING PLANT
CXA LA PALOMA, LLC**

Docket No. 98-AFC-02C

**ORDER APPROVING POST
CERTIFICATION PETITION TO
AMEND**

I. INTRODUCTION

On February 8, 2022, CXA La Paloma, LLC, the project owner, filed a post certification petition with the California Energy Commission (CEC) requesting to amend the La Paloma Generating Plant Final Commission Decision.

The facility is a 1,048-megawatt combined-cycle, natural gas facility located east of the community of McKittrick in Kern County. The facility was certified by the CEC in October 1999 and began commercial operations in January 2003.

The project owner seeks approval to install an emergency standby electrical generator to power the existing West Kern Water District pump station water pumps for process/cooling water at the LPGP in the event of electrical grid power loss.

II. BACKGROUND

California Code of Regulations, title 20, section 1769 requires a project owner to petition the CEC for the approval of any change it proposes to the project design, operation, or performance requirements of a certified facility.

Pursuant to California Code of Regulations, title 20, section 1769(a)(3), staff has reviewed the petition and determined the proposed change does not meet the criteria for staff approval.

California Code of Regulations, title 20, section 1769(a)(4)(A) requires the CEC to issue an order approving, rejecting, or modifying the petition or assign the matter for further proceedings before the CEC or an assigned committee or hearing officer and, additionally if applicable, requires the CEC to approve the proposed change only if it can make the findings specified in California Code of Regulations, title 20, section 1748(b).

Lastly, California Code of Regulations, title 14, section 15162(a) specifies that, when an environmental impact report (EIR) has been certified or a negative declaration adopted for a project, a subsequent EIR does not need to be prepared unless the agency

determines one or more of the following: (1) substantial changes are proposed that will require major revisions of the EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions to the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; or (3) new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted shows specified significant effects or mitigation measures.

III. STAFF RECOMMENDATION

On April 18, 2022, staff filed their review of the petition and concluded that approving the petition to amend is consistent with California Code of Regulations, title 20, section 1769(a)(4). With the inclusion of staff's recommended changes to the project's conditions of certification, the proposed change (1) will not have a significant impact on the environment or is exempt from the California Environmental Quality Act (CEQA) and (2) will not cause the project to fail to comply with any applicable laws, ordinances, regulations, and standards. Additionally, staff determined the findings required to be made by the CEC pursuant to California Code of Regulations, title 20, section 1769(a)(4)(A), and as specified in California Code of Regulations, title 20, section 1748(b), do not apply.

Lastly, staff concludes the proposed change does not meet the criteria requiring the production of subsequent or supplement EIR review consistent with California Code of Regulations, title 14, section 15162(a).

IV. FINDINGS

Pursuant to California Code of Regulations, title 20, section 1769(a)(4), the CEC concurs with staff's recommendation and finds that the petition with the inclusions of staff's recommended changes to the project's conditions of certification (1) will not have a significant impact on the environment or is exempt from the California Environmental Quality Act (CEQA) and (2) will not cause the project to fail to comply with any applicable laws, ordinances, regulations, and standards. The CEC also concurs with staff's recommendation that the findings required to be made by the CEC pursuant to California Code of Regulations, title 20, section 1769(a)(4)(A), and as specified in California Code of Regulations, title 20, section 1748(b), do not apply. Lastly, the CEC concurs with staff and finds that the proposed change does not meet the criteria requiring the production of subsequent or supplemental review consistent with California Code of Regulations, title 14, section 15162(a).

The CEC hereby adopts staff's recommendation, including the new conditions of certification as published on April 22, 2022, and grants the petition allowing for the installation of an emergency standby electrical generator to power the existing West Kern Water District pump station water pumps for process/cooling water at the La Paloma Generating Plant in the event of electrical grid power loss.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the CEC held on May 11, 2022.

AYE: Hochschild, Gunda, Monahan

NAY: NONE

ABSENT: McAllister, Vaccaro

ABSTAIN: NONE



Liza Lopez
Secretariat