

DOCKETED

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Project Title:	COMPLIANCE-Luz Solar Electric Generating System Cogeneration AFC (150 MW) Units III-VII.
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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**SOLAR ENERGY GENERATING
SYSTEMS VII APPLICATION FOR
CERTIFICATION**

Docket No. 87-AFC-01C

**ORDER AMENDING THE SITE
BOUNDARY AND TERMINATING
JURISDICTION**

I. INTRODUCTION

On April 12, 2022, NextEra Energy Resources-Operating Services, filed a petition for post certification project change with the California Energy Commission (CEC) for the Solar Energy Generating Systems Units III-VII (SEGS III-VII) Kramer Junction. The petition requests a boundary adjustment removing the SEGS VII area from the SEGS III-VII – Kramer Junction facility. This petition would modify the site boundary to exclude the area of SEGS VII. Approval would end the CEC’s jurisdiction over the SEGS VII portion of the site.

The SEGS III-VII consisted of five 30-megawatt (MW) solar-thermal and natural gas-fired units. These units used parabolic mirrors to concentrate solar energy for transfer into heat transfer fluid, which is then used to create steam to generate up to 150 MW net total of electricity. The CEC certified the SEGS III-VII project in May 1988. Construction was completed and the facility went online in February 1989. The SEGS III-VII Facility Decommissioning Plan (Facility Plan) was approved by the CEC on June 9, 2021.

All decommissioning activities within the areas previously occupied by the SEGS Units III – V and VII have been completed in accordance with the approved Facility Plan and with all applicable conditions of certification (COCs). The purpose of the boundary change is to allow a new solar photovoltaic (PV) solar project to begin construction pursuant to a permit and Notice of Exemption issued by San Bernardino County while the remaining decommissioning activities for SEGS Unit VI continue to completion.

II. STAFF RECOMMENDATION

The project owner has completed the requirements of the approved Decommissioning Plan as to SEGS VII and is now requesting removal of SEGS VII from the overall project site and termination of the CEC’s jurisdiction. On April 5, 2022, the Delegate Chief Building Official issued a final inspection report confirming decommissioning is

complete. CEC technical staff reviewed the petition and determined through a site inspection and review of documentation, that all requirements of the Decommissioning Plan have been met, and that no significant environmental impacts nor violation of applicable LORS occurred during closure of the facility.

The scope of the analysis conducted by staff of the petition under California Code of Regulations, title 20, section 1769 is limited to an evaluation of the incremental impacts, if any, of the proposed changes to the project on the environment, as well as a determination of the consistency of the proposed changes with the applicable LORS. The analysis of the proposed changes must be consistent with the requirements of California Environmental Quality Act Guidelines section 15162, (See Cal. Code Regs., tit. 14, § 15162.) which limits additional environmental review to any “substantial changes” that would result in greater environmental impacts than what was analyzed in the Final Decision. Under section 15162, the CEC may rely on the Decision for areas that would not have substantial changes.

Staff concludes that the proposed changes to the project do not include any substantial changes that would result in any new significant environmental impacts or a substantial increase in the severity of previously identified significant effects that would require additional analysis. In this case the boundary adjustment removing SEGS VII from the existing certification and the CEC’s jurisdiction does not result in any direct physical changes in the environment, or a reasonably foreseeable indirect physical change in the environment because the project concerns ending the CEC’s jurisdiction over the portion of the site which no longer contains a thermal powerplant. Therefore, the boundary adjustment does not meet the definition of a project under CEQA. (See Cal. Code Regs., tit. 14, § 15378) Nevertheless, staff considered the effect of the boundary change on each of the technical disciplines to confirm no impacts on the environment and consistency with LORS.

Staff recommends the granting of the petition and removal of SEGS VII from the project boundary and termination of the CEC’s jurisdiction so the project site can be repurposed under the county’s jurisdiction.

III. ENERGY COMMISSION FINDINGS AND ORDER

- (i) The decommissioning of SEGS VII has been completed consistent with the approved decommissioning plan.
- (ii) There is no possibility that the boundary adjustment and termination of CEC jurisdiction will have a physical effect on the environment and no impacts were identified in any technical area.
- (iii) The boundary adjustment would not cause the project to fail to comply with any applicable laws, ordinances, regulations, or standards.

Therefore, the CEC hereby adopts staff's recommendation and grants the petition for the boundary adjustment removing SEGS VII from the overall project site and terminating the CEC's jurisdiction over SEGS VII, effective May 24, 2022.

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 24, 2022.

AYE: Hochschild, Gunda, McAllister, Monahan, Vaccaro

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE



Liza Lopez
Secretariat