

DOCKETED

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Project Title:	Abengoa Mojave Compliance
TN #:	243511
Document Title:	Order Approving Post Certification Petition to Amend
Description:	Order No: 22-0608-4
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STATE OF CALIFORNIA

STATE ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

MOJAVE SOLAR PROJECT

DOCKET 09-AFC-05C

**ORDER APPROVING POST
CERTIFICATION PETITION TO
AMEND**

I. INTRODUCTION

On January 13, 2022, the Mojave Solar LLC (project owner), filed a petition for a post certification change (TN#241162) with the California Energy Commission (CEC) for the Mojave Solar Project (MSP).

The 250-megawatt (MW) MSP solar thermal generation project was certified by the CEC on September 8, 2010, and began commercial operation in December 2014. The facility is located between Barstow and Kramer Junction, approximately nine miles northwest of Hinkley, in San Bernardino County.

The project owner seeks approval for a petition that would allow the project owner to install at MSP a hydrogen generation system, including an electrolyzer that uses electricity from MSP to decompose demineralized water into hydrogen and oxygen. The unit is proposed to be installed in the same location as the MSP's existing hydrogen storage bottles.

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. California Code of Regulations, title 20, section 1769(a)(3)(D) allows staff to submit a petition that could be approved by staff such as this one, to the commission for consideration and a decision.

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 May 16, 2022, staff filed their review of the petition and concluded that approving the petition to amend is consistent with the California Code of Regulations, title 20, sections 1769(a)(3)(D) and 1769(a)(4)(A) because the proposed change will: (1) not have a significant effect on the environment; (2) not cause the project to fail to comply with any applicable laws, ordinances, regulations, and standards; and (3) not require a change to or deletion of a condition of certification adopted by the CEC in the final decision or subsequent amendments. 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 concluded 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).

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 to amend will: (1) not have a significant effect on the environment ; (2) not cause the project to fail to comply with any applicable laws, ordinances, regulations, and standards; and (3) not require a change to or deletion of a condition of certification adopted by the CEC in the final decision or subsequent amendments. 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 and grants the petition allowing for the installation of a hydrogen generation system, including an electrolyzer that uses electricity from MSP to decompose demineralized water into hydrogen and oxygen.

IT IS SO ORDERED.

CERTIFICATION

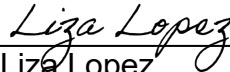
The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the CEC held on June 8, 2022.

AYE: Hochschild, McAllister, Vaccaro

NAY: NONE

ABSENT: Gunda, Monahan

ABSTAIN: NONE



Liza Lopez
Secretariat