

DOCKETED

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Project Title:	Pittsburg District Energy Facility - Commission Adoption Order (Order No. 99-0817-01)
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Document Title:	Order Approving Post Certification Petition
Description:	Order No: 22-1012-11
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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

LOS MEDANOS ENERGY CENTER

Docket No.: 98-AFC-01C

**ORDER APPROVING POST
CERTIFICATION PETITION**

I. INTRODUCTION

On April 23, 2021, Los Medanos Energy Center (LMEC), LLC (project owner) filed a post-certification petition with the California Energy Commission (CEC) for the Los Medanos Energy Center (LMEC).

LMEC is an operational 500-megawatt (MW) natural gas-fired combined cycle energy facility that includes heat recovery steam generator (HRSG) units, steam turbine generator units, transformers, and water treatment and cooling towers. The 500 MW project was certified by the CEC on August 17, 1999, and began commercial operation in October 2001. The facility, formerly known as Pittsburg District Energy Facility, is in the City of Pittsburg, in eastern Contra Costa County, California.

The project owner seeks approval for a petition that would allow the LMEC to work with ION Clean Energy (ION) to demonstrate, on a pilot scale, its solvent technology to capture carbon dioxide (CO₂) from a small portion of flue gas from a single turbine exhaust at LMEC. The project would require LMEC to supply approximately 0.04 percent of its stack gas via above-ground pipeline to an onsite carbon capture and utilization pilot project. The pilot project would be in operation for approximately 15 months with the equipment removed from the site after the pilot project is completed.

Seven new Air Quality Conditions of Certification are being added to the AFC License to address increases in emissions of ammonia and Volatile Organic Compounds also called Primary Organic Contaminants (VOCs or POCs) resulting from the CO₂ pilot project.

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)(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, Public Resources Code section 21166 specifies that when an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs: (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report; (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

III. STAFF RECOMMENDATION

The CEC has considered the application of CEQA to the proposed regulations and concluded that on September 30, 2022, staff filed a review of the petition recommending the addition of new Conditions of Certification **AQ-ION 1** through **AQ-ION 7** for consistency with the new Authority to Construct permit issued by the Bay Area Air Quality Management District (BAAMQD) to make the effect on the environment less than significant.

Staff also concludes that none of the findings specified in California Code of Regulations, title 20, section 1748(b) apply to the proposed change. Lastly, staff concludes the proposed changes do not meet any of the criteria requiring the production of a subsequent or supplemental environmental impact report pursuant to Public Resources Code section 21166.

Staff concludes that, with the adoption of the conditions of certification, LMEC would remain in compliance with applicable LORS, and the proposed changes to LMEC would not result in any significant adverse direct, indirect, or cumulative impacts to the environment. Staff recommends approval of the petition.

IV. ENERGY COMMISSION 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 will: (1) not have a significant effect on the environment and (2) not cause the project to fail to comply with any applicable laws, ordinances, regulations, and standards.

V. CONCLUSION AND ORDER

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 a subsequent or supplemental environmental impact report consistent with Public Resources Code section 21166.

The CEC hereby adopts staff's recommendation and grants the petition allowing for the demonstration carbon capture project.

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 October 12, 2022.

AYE: Hochschild, Gunda, McAllister, Monahan, Vaccaro
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE

Dated: October 13, 2022

SIGNED BY:

Liza Lopez
Secretariat