

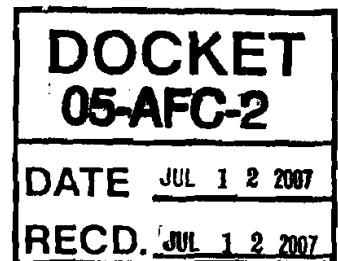
GALATI | BLEK LLP

Plaza Towers
555 Capitol Avenue Suite 600
Sacramento CA 95814
Tel • 916.441.6575
Fax • 916.441.6553

July 12, 2007

Ms. Raquel Rodriguez
California Energy Commission
Docket Unit, MS-4
1516 Ninth Street
Sacramento, CA 95814-5512

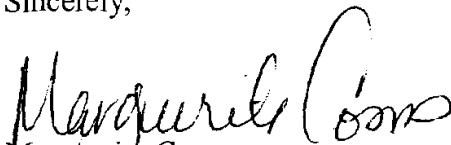
Subject: **Walnut Creek Energy Park Supplemental Testimony**
Docket No. 05-AFC-2



Dear Ms. Rodriguez:

Enclosed for filing with the California Energy Commission are one original and 12 (Twelve) copies of the **Walnut Creek Energy Park Supplemental Testimony, for the Walnut Creek Energy Park Docket No. 05-AFC-2.**

Sincerely,



Marguerite Cosens
Administrative Assistant
GalatiBlek

STATE OF CALIFORNIA
Energy Resources
Conservation and Development Commission

In the Matter of:

Application For Certification for the Walnut
Creek Energy Park

DOCKET NO. 05-AFC-2

**DECLARATION OF
Bernard M. Piazza**

I, Bernard M. Piazza, declare as follows:

1. I am presently employed by Edison Mission Energy, as a Managing Director, Engineering & Construction.
2. A copy of my professional qualifications and experience is included with the previously filed testimony, and is incorporated by reference in this Declaration.
3. I prepared the attached additional testimony relating to Project Description for the Walnut Creek Energy Park (California Energy Commission Docket Number 05-AFC-2).
4. It is my professional opinion that the attached prepared testimony is valid and accurate with respect to issues that it addresses.
5. I am personally familiar with the facts and conclusions related in the attached prepared testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct to the best of my knowledge and that this declaration was executed at Irvine, CA on July 12, 2007.



STATE OF CALIFORNIA

Energy Resources
Conservation and Development Commission

In the Matter of:

DOCKET NO. 05-AFC-2

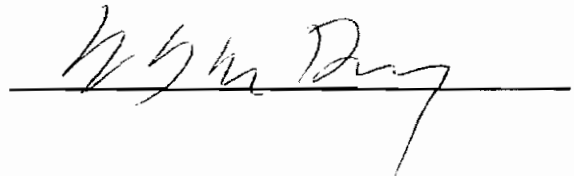
Application For Certification for the Walnut
Creek Energy Park

DECLARATION OF DOUGLAS DAVY

I, Douglas Davy, declare as follows:

6. I am presently employed by CH2M Hill, as a Senior Project Manager.
7. A copy of my professional qualifications and experience is included with the previously filed testimony, and is incorporated by reference in this Declaration.
8. I prepared the attached testimony relating to Additional Cumulative Impacts for the Walnut Creek Energy Park (California Energy Commission Docket Number 05-AFC-2).
9. It is my professional opinion that the attached prepared testimony is valid and accurate with respect to issues that it addresses.
10. I am personally familiar with the facts and conclusions related in the attached prepared testimony and if called as a witness could testify competently thereto.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct to the best of my knowledge and that this declaration was executed at Sacramento, CA on July 12, 2007.



A handwritten signature in black ink, appearing to read "Douglas Davy", is written over a horizontal line.

Walnut Creek Energy Park

Additional Project Description Information

As described in the WCE's earlier testimony the LMS100 technology includes a variable bleed valve (VBV) system that includes a VBV stack. The original AFC showed the VBV stack with a height of 68 feet. Since the time of filing the AFC, General Electric has incorporated a new standard height for the VBV stacks on all new units, including the WCEP. The new height of the VBV stack for the WCEP will be 50 feet.

Additional Cumulative Impacts Analysis

Hazardous Materials Management

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Pub. Resources Code § 21083; Cal. Code Regs., tit. 14, §§ 15064(h), 15065(c), 15130, and 15355).

Applications for 61 proposed projects have been filed in the City of Industry, City of La Puente, and Hacienda Heights within the last 18 months before AFC filing (EME 2005a, Vol. II, Appendix 8.6). None of the projects will be located within 0.5 mile of the WCEP. As these projects are subjected to CEQA review, furthermore, any potentially significant adverse impacts public health and safety resulting from hazardous materials handling are considered and mitigated, if necessary.

Staff's proposed conditions of certification address the handling hazardous materials and the transportation and use of aqueous ammonia, an acutely hazardous material, and will ensure that hazardous materials at the WCEP are safely managed. There are no properties adjacent to the WCEP that use aqueous ammonia, so that a simultaneous release of this chemical from two or more sources would not cause a hazardous cumulative concentration of this chemical. Staff's proposed conditions of certification will thus ensure that the proposed project's incremental effect is not cumulatively considerable. In addition, while it is possible that other chemicals may be used in and around the area, the presence of such chemicals will not increase any risk of chemical releases at the WCEP. Staff's proposed conditions of certification would require that all hazardous chemicals be properly transported, used and disposed in accordance with well-established regulatory procedures. These regulatory procedures would be applicable to proposed facilities that may also use hazardous chemicals. Our review did not discover any chemical proposed for use within close proximity to the WCEP that would increase any risk of use of chemicals at the WCEP or would render compliance with the existing regulatory ineffective.

Noise and Vibration

A cumulative impact refers to a proposed project's incremental effect together with

other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Pub. Resources Code § 21083; Cal. Code Regs., tit. 14, §§ 15064(h), 15065(c), 15130, and 15355).

Applications for 61 proposed projects have been filed in the City of Industry, City of La Puente, and Hacienda Heights within the last 18 months before AFC filing (EME 2005a, Vol II, Appendix 8.6). None of the projects will be built within 0.5 mile of the WCEP, however. Staff's proposed conditions of certification address the addition of the WCEP to the existing ambient noise environment and impose a limit on the levels of noise that WCEP will be allowed to emit. Because of the distance between the WCEP and any foreseeable new land uses, it is unlikely that noise from the WCEP would combine with noise from these other new land uses. Noise attributable to the project at this distance would be at least 10 dBA below the existing ambient level and would therefore not contribute significantly to ambient noise in these areas. Staff's proposed conditions of certification will thus ensure that the proposed project's incremental effect is not cumulatively considerable.

Public Health

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Pub. Resources Code § 21083; Cal. Code Regs., tit. 14, §§ 15064(h), 15065(c), 15130, and 15355).

Applications for 61 proposed projects have been filed in the City of Industry, City of La Puente, and Hacienda Heights within the last 18 months before AFC filing (EME 2005a, Vol. II, Appendix 8.6). Most of these projects are for commercial or residential developments and, as such, would not result in air emissions or other effects which could affect public health. As these projects are subjected to CEQA review, furthermore, any potentially significant adverse impacts on public health are considered and mitigated, if necessary.

Furthermore, the air emissions modeling analysis and screening health risk assessment conducted for the project take into consideration all existing air emissions sources as part of the background. In order to also consider reasonably foreseeable future projects, the applicant conducted a modeling analysis of the potential for air emissions from the WCEP to combine with other air emissions sources for which permits had been filed or recently granted. The results of this analysis were provided in the Applicant's response to Data Requests 29 and 30 (filed September 1, 2006) and showed that potential cumulative impacts would be below the level of significance.

Socioeconomics

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Pub. Resources Code § 21083; Cal. Code Regs., tit. 14, §§ 15064(h), 15065(c), 15130, and 15355). Cumulative socioeconomic impacts may occur when more than one project has an overlapping construction schedule that creates a demand for workers that cannot be met by local labor, resulting in an influx of non-local workers and their dependents.

Applications for 61 proposed projects have been filed in the City of Industry, City of La Puente, and Hacienda Heights within the last 18 months before AFC filing (EME 2005a, Vol. II, Appendix 8.6). Most of these projects are for commercial or residential developments and, as such, would not compete with WCEP for skilled trades that are in most demand for power plant construction. As these projects are subjected to CEQA review, furthermore, any potentially significant adverse impacts on labor supply or social services are considered and mitigated, if necessary.

The potential cumulative effects of another power plant project proposed for Los Angeles County, the Vernon Power Project, were considered in the FSA. The FSA demonstrated that, based on the projected project construction schedules contemplated at the time of AFC filing, the demand of these two projects on skilled labor for power plant construction would not be cumulatively significant. At this time, the construction schedules of the two projects have been delayed, so it is not clear how their respective demands for labor would overlap. There is a sufficient supply of skilled labor in Los Angeles County, however, such that significant cumulative impacts are unlikely to occur as a result of labor demand from these two projects combining with demand from other projects.

Transmission Safety & Nuisance

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Pub. Resources Code § 21083; Cal. Code Regs., tit. 14, §§ 15064(h), 15065(c), 15130, and 15355). There are no known transmission system upgrades or new transmission lines planned for the immediate WCEP project area that would contribute to potential cumulative impacts. Each of the existing transmission lines that connects with the Walnut Substation is currently operated in accordance with CPUC requirements for EMF management. In addition, Conditions of Certification for WCEP require that the project measure the magnetic field levels in the transmission corridor before and after construction of the WCEP generation tie-line. This would allow any potential cumulative electromagnetic field impacts to be addressed and mitigated. The addition of the WCEP's generation tie-line to existing transmission lines that connect at the Walnut substation will therefore not cause any cumulative adverse transmission safety and nuisance impacts.

Waste Management

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Pub. Resources Code § 21083; Cal. Code Regs., tit. 14, §§ 15064(h), 15065(c), 15130, and 15355).

Applications for 61 proposed projects have been filed in the City of Industry, City of La Puente, and Hacienda Heights within the last 18 months before AFC filing (EME 2005a, Vol. II, Appendix 8.6). Most of these projects are for commercial or residential developments. Commercial activities, such as consumer retail outlets, can generate relatively large quantities of non-hazardous wastes. As these projects are subjected to CEQA review,

however, their potential effects on landfill capacity are addressed and mitigated, if necessary.

The quantities of nonhazardous and hazardous wastes that would be generated during construction and operation of the WCEP, furthermore, would be relatively low, at an estimated 115 tons of solid waste during construction and approximately 37 tons per year during operation. Recycling efforts would be prioritized wherever practical, and capacity is available in a variety of treatment and disposal facilities. There is currently sufficient landfill capacity available in the project area. Therefore, these added waste quantities generated by the WCEP would not result in significant cumulative waste management impacts.

Worker Health & Safety

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Pub. Resources Code § 21083; Cal. Code Regs., tit. 14, §§ 15064(h), 15065(c), 15130, and 15355).

Staff reviewed the potential for the construction and operation of WCEP combined with existing industrial facilities and expected new facilities to result in impacts on the fire and emergency service capabilities of the LACFD and other local emergency medical services and determined that cumulative impacts were insignificant. Applications for 61 proposed projects have been filed in the City of Industry, City of La Puente, and Hacienda Heights within the last 18 months before AFC filing (EME 2005a, Vol. II, Appendix 8.6). Most of these projects are for commercial or residential developments and, as such, would not place significant additional pressure on the demand for emergency medical and fire response services. As these projects are subjected to CEQA review, furthermore, any potentially significant adverse impacts on emergency and fire services are considered and mitigated, if necessary.

Given the industrial area where the project is proposed to be built, and the lack of unique fire and medical hazards associated with a modern gas-fired power plant, staff concludes that this project will not cause any significant incremental burden on the department's ability to respond to a fire or medical emergency.

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA**

**APPLICATION FOR CERTIFICATION
FOR THE WALNUT CREEK ENERGY PARK
(WCEP)**

DOCKET NO. 05-AFC-2

(Revised 6/6/07)

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION

**Attn: Docket No. 05-AFC-2
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us**

APPLICANT

Lawrence Kostrzewa, Project Director
Edison Mission Energy
18101 Von Karman Avenue, Suite 1700
Irvine, CA 92612-1046
lkostrzewa@EdisonMission.Com

Jenifer Morris
NJ Resources, LLC
7240 Heil Avenue
Huntington Beach, CA 92647
jenifer@njr.net

Victor Yamada, Project Manager
Edison Mission Energy
18101 Von Karman Avenue, Suite 1700
Irvine, CA 92612-1046
vyamada@EdisonMission.Com

COUNSEL FOR APPLICANT

Scott Galati
Galati & Blek, LLP
555 Capitol Mall, Suite 600
Sacramento, CA 95814
sgalati@gb-llp.com

Thomas McCabe
Edison Mission Energy
18101 Von Karman Ave., Suite 1700
Irvine, CA 92612-1046
tmccabe@edisonmission.com

INTERESTED AGENCIES

No agencies to date.

Douglas Davy
CH2M Hill
2485 Natomas Park Drive, Suite 600
Sacramento, CA 95833
ddavy@ch2m.com

INTERVENORS

California Unions for Reliable Energy
(CURE)

C/O Marc D. Joseph

Gloria D. Smith

Adams Broadwell Joseph & Cardozo

601 Gateway Boulevard, Suite 1000

South San Francisco, CA 94080

mdjoseph@adamsbroadwell.com

gsmith@adamsbroadwell.com

JOHN L. GEESMAN

Associate Member

jgeesman@energy.state.ca.us

GARRET SHEAN

Hearing Officer

gshean@energy.state.ca.us

JACK CASWELL

Project Manager

jcaswell@energy.state.ca.us

ENERGY COMMISSION

JACKALYNE PFANNENSTIEL

Chairman & Presiding Member

jpfannen@energy.state.ca.us

LISA DECARLO

Staff Counsel

ldecarlo@energy.state.ca.us

Public Adviser

pao@energy.state.ca.us

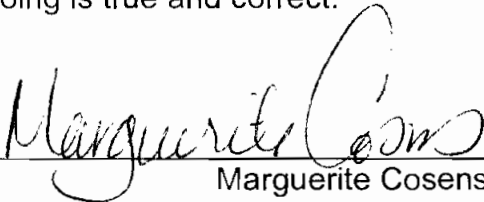
DECLARATION OF SERVICE

I, Marguerite Cosens, declare that on July 12, 2007, I deposited copies of the attached **Walnut Creek Energy Park Supplemental Testimony, for the Walnut Creek Energy Park** in the United States mail at with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of the California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.


Marguerite Cosens