

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512



September 5, 2007

Mr. Andy Welch, Vice President
Competitive Power Ventures
8403 Colesville Road, Suite 915
Silver Spring, MD 20910

DOCKET	
06-AFC-9	
DATE	SEP 05 2007
RECD.	SEP 06 2007

Dear Mr. Welch:

**PRELIMINARY STAFF ASSESSMENT WORKSHOP SUMMARY AND DATA REQUESTS
126 THROUGH 129 FOR THE COLUSA GENERATING STATION (06-AFC-9)**

Pursuant to Title 20, California Code of Regulations, section 1716, the California Energy Commission staff is asking for the information specified in the enclosed data requests. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts, 4) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 5) assess potential mitigation measures.

This third set of data requests (#126-129) is being made in the area of Air Quality. The attached data requests are in response to E&L Westcoast's request for formal data requests as discussed at the August 22, 2007, Colusa Generating Station (CGS) Preliminary Staff Assessment (PSA) Workshop.

Energy Commission staff intends to delay the publication of the Final Staff Assessment as agreed to by E&L Westcoast at the Colusa PSA workshop. Staff needs supplemental information as discussed at the August 22nd workshop that would allow a complete review of the proposed project in the following technical areas; 1) Air Quality, 2) Soils and Water Resources, 3) Worker Safety and Fire Protection, 4) Hazardous Materials and 5) staff review of the new filing for the proposed Glenn-Colusa Canal Bridge Design.

As a result of the PSA workshop, E&L Westcoast has agreed to provide the following supplemental information; a) response to air quality data requests, b) documentation of the three (3) party water transfer agreement between E&L Westcoast, County of Colusa and Glenn-Colusa Irrigation District, and c) suggested mitigation measures as a result of further consultation between the Maxwell Fire Protection District and E&L Westcoast on issues related to the Colusa Generating Station project impacts to that fire protection district. The above information along with staff's review of the new bridge design will complete staff's review of the proposed project and will be included in the Final Staff Assessment. Written responses to the enclosed data requests and supplemental information are due to the Energy Commission staff on or before September 19, 2007, or a date that is mutually agreeable. Staff intends to publish the Final Staff Assessment in October, 2007.

PROOF OF SERVICE / REVISED 8/22/07 FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 9/06/07

If you are unable to provide the information requested, need additional time, or object to providing the requested information, you must send a written notice to both Commissioner John L. Geesman, Presiding Committee Member for the Colusa Generating Station project, and to me, within 20 days of receipt of this notice. The notification must contain the reasons for not providing the information, the need for additional time, and the grounds for any objections (see Title 20, California Code of Regulations, section 1716 (f)).

If you have any questions, please contact Jack Caswell, Energy Commission Project Manager, at (916) 653-0062, or by email at jcaswell@energy.state.ca.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger E. Johnson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Roger E. Johnson, Manager
Energy Facilities Siting and Compliance Office

Enclosure
cc: Dockets 06-AFC-9

COLUSA GENERATING STATION
(06-AFC-9)
DATA REQUESTS

Technical Area: Air Quality
Author: William Walters

AIR QUALITY EMISSION OFFSETS

BACKGROUND

Staff is uncertain regarding the disposition of the Emission Reduction Credits (ERCs) that the applicant owns beyond those required to meet District and Energy Commission requirements as specified in the Preliminary Staff Assessment. The list of applicant ERCs in Appendix A of the Air Quality Section provides both VOC and PM10 ERCs in excess of those required by the District or currently recommended by staff. Additionally, staff is inquiring to the applicant's desire or intent to use its large amount of excess VOC ERCs to increase its proposed 1.4 to 1 VOC for NO_x interpollutant offset ratio, which was commented on by the Air Resources Board on June 8, 2007. Staff requests the following additional information to more thoroughly understand the disposition of all of the applicant's ERCs.

DATA REQUEST

126. Please identify how the applicant will use, sell, or otherwise dispose of the PM10 ERCs that are shown to be excess in PSA AIR QUALITY Table 30.
127. Please identify if the applicant would be willing to use all or part of the VOC ERCs, as shown in Appendix A of the PSA Air Quality Section, that are shown to be excess in PSA AIR QUALITY Tables 28 and 29 to increase its proposed interpollutant offset ratio from the currently proposed 1.4 to 1.

AIR DISPERSION MODELING IMPACTS

BACKGROUND

The air quality dispersion modeling indicates potentially significant construction PM10/PM2.5 impacts and potentially significant cumulative NO₂ impacts. These modeling analyses use overly conservative assumptions that can be refined. Staff needs the applicant to perform more refined construction and cumulative modeling runs to determine if there would in fact be a reasonable potential for potentially significant construction PM10/PM2.5 impacts and potentially significant cumulative NO₂ impacts.

DATA REQUEST

128. Please provide a refined construction PM10/PM2.5 modeling analysis using volume sources to model the fugitive dust emissions. This can be done either using the same parameters and locations as used for the equipment exhaust PM emissions or another number of volume sources can be distributed around the

main construction working area of the project site. Please provide an electronic copy of the modeling input and output files with the response.

129. Please provide a refined cumulative NO₂ modeling analysis that matches the hourly monitored NO₂ background, from a representative local ambient monitoring station, with the NO_x_OLM dispersion modeling results for the same period modeled. With the response, please provide an electronic copy of any new modeling input and output files and an electronic copy of the hourly NO₂ background data that was obtained.

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

**APPLICATION FOR CERTIFICATION
FOR THE COLUSA GENERATING
STATION PROJECT**

**Docket No. 06-AFC-9
PROOF OF SERVICE
(REVISED 8/22/2007)**

INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 06-AFC-9
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

Andy Welch, Vice President
Competitive Power Ventures,
8403 Colesville Rd, Suite 915
Silver Spring, MD 20910
awelch@cpv.com

APPLICANT'S CONSULTANTS

Dale Shileikis – URS
Vice President
221 Main Street, Suite 600
San Francisco, CA 94105-1917
dale_shileikis@urscorp.com

Mark Strehlow – URS
Senior Project Manager
1333 Broadway, Suite 800
Oakland, CA 94612
Mark_Strehlow@URSCorp.com

COUNSEL FOR APPLICANT

Mike Carroll - Latham & Watkins
Attorneys at Law
650 Town Center Drive, 20th Floor
Costa Mesa, CA 92626-1925
michael.carroll@lw.com

INTERESTED AGENCIES

Larry Tobias
Ca. Independent System Operator
151 Blue Ravine Road
Folsom, CA 95630
LTobias@caiso.com

Electricity Oversight Board
770 L Street, Suite 1250
Sacramento, CA 95814
esaltmarsh@eob.ca.gov

Stephen M. Hackney, Director
Colusa County
Department of Planning and Building
220 12th Street
Colusa, CA 95932
shackney@countyofcolusa.org
Harry Krug, APCO
Colusa County APCD
100 Sunrise Blvd. #F
Colusa, CA 95932-3246
hak@countyofcolusa.org

Steve Tuggle
Environmental Manager
Sierra Nevada Region
Western Area Power Administration
114 Parkshore Drive
Folsom, CA 95630
tuggle@wapa.gov

Mark Wieringa
Western Area Power Administration
12155 W. Alameda Parkway
P.O. Box 281213
Lakewood, CO 80228
wieringa@wapa.gov

INTERVENORS

Emerald Farms
c/o Allen L. Etchepare
P.O. Box 658
4599 McDermott Road
Maxwell, CA 95955
jme@efarmsmail.com
ale@efarmsmail.com

Pacific Gas and Electric Company
GalatiBlek LLP
555 Capitol Mall, Suite 600
Sacramento, CA 95814
sgalati@gb-llp.com
dwiseman@gb-llp.com

Pacific Gas and Electricity Company
c/o Andrea Grenier
Grenier & Associates, Inc.
1420 East Roseville Parkway, Suite 140-377
Roseville, CA 95661
andrea@agrenier.com

ENERGY COMMISSION

JOHN L. GEESMAN
Presiding Member
jgeesman@energy.state.ca.us

JAMES D. BOYD
Associate Member
jboyd@energy.state.ca.us

Susan Brown
Adviser to Commissioner Boyd
sbrown@energy.state.ca.us

Raoul Renaud
Hearing Officer
rrenaud@energy.state.ca.us

Jack Caswell
Project Manager
jcaswell@energy.state.ca.us

Dick Ratliff
Staff Counsel
dratliff@energy.state.ca.us

Public Advisor
pao@energy.state.ca.us

DECLARATION OF SERVICE

I, Maria Sergoyan, declare that on 9/06/07, I deposited copies of the attached Data Requests for The Colusa Generating Station (06-AFC-9) in the United States mail at Sacramento, California 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 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.



Maria Sergoyan