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Date: 7/2/2008 3:57 PM
Subject: Application 08-AFC-3

Mr. Monasmith:

Yesterday I received the CD with the application for certification for the Mirant Marsh Landing Generating Station. I briefly reviewed the application and, per your deadline of 7/2/08, have the following comments:

1. Ammonia is being used as part of the SCR process, and as pointed out in section 7.12, the ammonia is subject to CalARP regulations and the preparation of a RMP is required. Please note that the RMP is to be submitted to the LEPC or in this case Contra Costa County Health Services Hazardous Materials Programs, by the date on which a regulated substance is first present in a process, above the threshold quantity. Also CalARP registration forms are required to be completed.
2. Per AB2185 a Hazardous Materials Business Plan is also required to be submitted to the LEPC.
3. Appendix Q is entitled "Hazardous Materials Handling - Summary of Modeling Results" and contains off site consequence information. Per 40 CFR Chapter IV, Subchapter A, Part 1400, Sections 1400.9(d), 1400.2(h), 1400.10, and 1400.11, there are strict limitations regarding releasing off-site consequence information to the public. Granted that the ammonia appears to be subject to CalARP and not federal RMP, but the intent should be viewed similarly - after "911" it is not a sound practice to allow the public easy access to information that may be used to harm the public. Given this information, I suggest that you remove or modify Appendix Q, and remove or modify any other information in the application that includes off site consequence modeling results.

Thank you,

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