

From: Roe <roe@ucla.edu>
To: <docket@energy.state.ca.us>, <David.Lloyd@nrgenergy.com>, <Tim.Hemig@nrg...>
Date: 12/9/2008 1:32 PM
Subject: CEC Docket 07-AFC-6 Petition to Docket Letters

Julie Baker & Arnold Roe,
 Ph.D.
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 P.O. Box 131302
 Carlsbad, CA 92013
 STATE OF CALIFORNIA

DOCKET	
07-AFC-6	
DATE	DEC 09 2008
RECD.	DEC 09 2008

State Energy Resources Conservation and Development Commission

In the Matter of:)
) Docket No. 07-AFC-6)
 CARLSBAD ENERGY CENTER PROJECT)
)
 PETITION TO DOCKET LETTERS)
 _____)

The Power of Vision respectfully petitions the California Energy Commission to docket copies of the following letters:

1. Letter dated December 5, 2008 from Power Of Vision to Patrick Kruer, Chairman, California Coastal Commission;
2. Letter dated December 5, 2008 from Arnold Roe to Steven Moore, San Diego Air Pollution Control District.

DATED: December 9,
 2008

Roe, Ph.D.,

 Arnold

STATE OF CALIFORNIA

State Energy Resources Conservation and Development Commission

In the Matter

of:

) Docket No. 07-AFC-6
CARLSBAD ENERGY CENTER PROJECT)
)

PROOF OF SERVICE)

I, Arnold Roe, Ph.D., declare that on December 9, 2008, I deposited copies of the attached PETITION TO DOCKET LETTERS by POWER OF VISION in the United States mail at Carlsbad, California, with first class postage thereon fully prepaid and addressed to the following:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-6
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512

And via email to:

- <mailto:docket@energy.state.ca.us>docket@energy.state.ca.us
- <mailto:David.Lloyd@nrgenergy.com>David.Lloyd@nrgenergy.com
- <mailto:Tim.Hemig@nrgenergy.com>Tim.Hemig@nrgenergy.com
- <mailto:robert.Mason@ch2m.com>robert.Mason@ch2m.com
- <mailto:Megan.Sebra@ch2m.com>Megan.Sebra@ch2m.com
- <mailto:jamckinsey@stoel.com>jamckinsey@stoel.com
- <mailto:alanori@comcast.net>alanori@comcast.net
- <mailto:e-recipient@caiso.com>e-recipient@caiso.com
- <mailto:jgaru@ci.carlsbad.ca.us>jgaru@ci.carlsbad.ca.us
- <mailto:rball@ci.carlsbad.ca.us>rball@ci.carlsbad.ca.us
- <mailto:gsmith@adamsbroadwell.com>gsmith@adamsbroadwell.com
- <mailto:wrostov@earthjustice.org>wrostov@earthjustice.org
- <mailto:rob@redwoodrob.com>rob@redwoodrob.com
- <mailto:jboyd@energy.state.ca.us>jboyd@energy.state.ca.us
- <mailto:kldougla@energy.state.ca.us>kldougla@energy.state.ca.us
- <mailto:pkramer@energy.state.ca.us>pkramer@energy.state.ca.us
- <mailto:mmonasmi@energy.state.ca.us>mmonasmi@energy.state.ca.us
- <mailto:dratliff@energy.state.ca.us>dratliff@energy.state.ca.us
- <mailto:publicadvisor@energy.state.ca.us>publicadvisor@energy.state.ca.us

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.

Arnold

Roe, Ph.D.

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December 5, 2009
Patrick Kruer
Chairman
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

RE:

CEC Docket 07-AFC-6

Dear Sir:

On October 16, 2007 from the Coastal Commission indicated to the California Energy Commission that ... "Coastal Commission staff's substantial workload and limited resources prevent...participating in the AFC review...of the Encina Replacement Project (07-AFC-6)." However, since your letter was sent, the applicant, NRG, has amended their AFC to include a desalination plant, something that obviously should come under the purview of the Coastal Commission.

Another issue that should be of concern to the Coastal Commission is Caltrans recent letter to the Energy Commission indicating that their planned widening of highway I-5 will encroach on the proposed power plant site and make screening of the proposed plant virtually impossible.

We believe that the review process put forth in the Warren-Alquist Act and the Coastal Act specifically requires the Coastal Commission's full participation in the review of the Encina Replacement Project (07-AFC-6) and failure of the Coastal Commission to do so may constitute a breach of the law and certainly a breach in the faith that the public has for the Coastal Commission.

Sincerely,

Julie Baker
Arnold Roe
Julie Nygaard

Cc: Mike Monasmith, CEC

Arnold Roe, Ph.D.
3210 Piragua Street
Carlsbad, CA 92009
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Tel: 760-214-5151

December 5, 2008

Steven Moore
Air Pollution Control District
10124 Old Grove Road
San Diego, CA 92131

RE:

Carlsbad Energy Center Project
Dear Sir:

The District's Preliminary Decision to Approve the Carlsbad Energy Center Project as stated in your November 25th publication is seriously flawed because it uses the AVERAGE of years 2002 through 2006 emissions from Encina Units 1, 2, & 3 to calculate offsets for the new units pollution credits (see pg. 21), while it is readily evident that use of units 1, 2, & 3 has been steadily declining and if a trend line is used to forecast future creditable emissions from these units, emission reductions shown in Tables 5b & 5c on pgs, 22 & 23 would be greatly reduced, and Emission Increases in tons/yr would exceed the limits shown on pg. 26. Also, before the District's Final Report is submitted, the district will have available emission data from units 1, 2, & 3 for the years 2007 & 2008 and, at the very least, these two years results should be used in any calculation of pollution offsets.

The need for the Carlsbad Energy Center Project is predicated on peak energy demand forecasts made by using a least squares best fit of previous demand to forecast demand in the year 2012 when the Project will become operable. It

would seem logical to use the same forecasting technique to determine the offsetting pollution credits available to Carlsbad Energy Center Project in the year 2012 from retirements of Encina units 1, 2, & 3 at that time. Such forecasting will show many less credits available for this project, particularly if the available data from years 2007 & 2008 are used in the forecast.

I believe that the District should also have the applicant identify the 37.6 tons/yr of NOx emission offsets the applicant (NRG) claims to own (see pg 39), and the additional 10.3 tons/yr that available for purchase. Are these credits coming from with San Diego County, or is NRG purchasing credits from outside the County to use to increase the pollutants in San Diego?

. On Pg. 40, the District states that all of San Diego County is currently classified as non-attainment for ozone. Isn't this sufficient to preclude any additional ozone pollution from new sources, such as the proposed power plant expansion. Hasn't the Los Angeles Air Quality Board, another non-attainment for ozone area, recently placed a moratorium on all new power plants?

On page 49, the District indicates that the EPA has stayed the applicability of limitations for hazardous air pollutants from gas-fired combustion turbines. Prior to the District's final report, will the District verify whether or not the new Federal administration has reinstated the applicability of limitations?

Appendix C lists Proposed Permit Conditions to be imposed on the applicant, but nowhere indicates the penalties to be imposed for non-compliance. The citizens of San Diego County should be informed of such penalties so that they may evaluate its effectiveness.

Finally, I would like to point out that the District's Preliminary Determination of Compliance of the Carlsbad Energy Center Project is a complex 114 page document, difficult for the average citizen to comprehend, and therefore should be explained to the citizens of Carlsbad at a public meeting, to be held in the immediate future. Also, copies of all documents relating to the District's Preliminary Determination of Compliance of the Carlsbad Energy Center Project be made available at the Carlsbad City libraries for review by interested citizens.

Sincerely,

Arnold Roe, Ph.D.
Professor Emeritus, Engineering

Cc: Supervisor Bill Horn