

**CALIFORNIA ENERGY COMMISSION**

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**DOCKET**  
**09-AFC-4**

**TO: AGENCY DISTRIBUTION LIST**

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**REQUEST FOR AGENCY PARTICIPATION IN THE REVIEW OF THE CONTRA COSTA GENERATING STATION PROJECT (09-AFC-04)**

On June 30, 2009, Contra Costa Generating Station, LLC submitted an Application for Certification (AFC) to construct and operate the Contra Costa Generating Station, in the City of Oakley, in Contra Costa County.

As part of our review process, the staff of the Energy Commission endeavors to work closely with local, state and federal agencies to ensure that all laws, ordinances, regulations and standards are met and incorporated into the final decision of the Energy Commission.

**Project Location**

The proposed project is located in Oakley, eastern Contra Costa County, California at 6000 Bridgehead Road. The 21.95-acre project site is zoned as heavy industrial, and is part of a larger 500-acre DuPont property. The project site is bounded to the west by the PG&E Antioch Terminal, a large natural gas transmission hub, to the north by the DuPont industrial zoned property, to the east by DuPont's titanium dioxide landfill area, and to the south by the Atchison, Topeka and Santa Fe railroad.

**Project Description**

The Contra Costa Generating Station (CCGS) would be a natural gas-fired, combined-cycle electrical generating facility rated at a nominal generating capacity of 624 megawatts (MW). Principal components of the project include the following:

- two General Electric (GE) Frame 7FA combustion turbine-generators (CTGs) with a nominal rating of 213 MW each, equipped with metallurgical enhancements to improve efficiency,
- a single condensing steam turbine generator (STG), heat recovery steam generators (HRSGs), producing a net 218MW,
- an air-cooled condenser to provide process cooling.

The emission reduction system would include a selective catalytic reduction (SCR) unit to control oxides of nitrogen and an oxidation catalyst to control carbon monoxide and volatile organic compounds in the exhaust gas emissions. Particulate emissions will be controlled by the use of best combustion practices which include the use of low-sulfur natural gas as the sole fuel for the CTGs and auxiliary boiler, and high-efficiency CTG inlet air filtration.

A new 2.4-mile-long, single-circuit, 230-kV transmission line will connect the project site with the Pacific Gas and Electric Company (PG&E) Contra Costa Substation. Natural gas will be supplied by a new 140-foot long direct connection with the adjacent PG&E Antioch natural gas terminal.

The CCGS proposes to use potable water provided by the Diablo Water District for process and potable uses. Water access is proposed to be through an onsite tap to an existing 27-inch-diameter distribution pipeline that runs through the CCGS site. Process and sanitary wastewater from the CCGS will be discharged to an existing onsite Ironhouse Sanitary District (ISD) sewer line.

### **Energy Commission's Facility Certification Process**

The Energy Commission is responsible for reviewing and ultimately approving or denying all applications to construct and operate thermal electric power plants, 50 MW and greater, in California. The Energy Commission's facility certification process carefully examines public health and safety, environmental impacts, and engineering aspects of proposed power plants and all related facilities, such as electric transmission lines and natural gas and water pipelines. The Energy Commission's AFC process is a Certified Regulatory program, and the Energy Commission is the Lead Agency under the California Environmental Quality Act (CEQA), producing several environmental and decision documents that are equivalent to an Environmental Impact Report. The issuance of a certificate by the Energy Commission is in lieu of any local, state or federal permit (to the extent permitted by federal law).

The first step in the review process is for Energy Commission staff to determine whether or not the AFC contains all the information required by our regulations. When the AFC is deemed data adequate, we will begin the discovery and analysis phases. At that time, a detailed examination of the issues will occur.

Over the coming months, the Energy Commission will conduct a number of public workshops and hearings on the proposal to determine whether the proposed project should be approved for construction and operation and under what set of conditions. These workshops will provide the public as well as local, state and federal agencies the opportunity to ask questions about, and provide input on, the proposed project. The Energy Commission will issue notices for these workshops and hearings at least ten days prior to each meeting.

### **Agency Participation**

To ensure that the Energy Commission has the information needed in order to make a decision, the Energy Commission's regulations identify a special role for federal, state, and local agencies (See, Cal. Code Regs., tit. 20, section 1714, 1714.3, 1714.5, 1742, 1743, and 1744). As a result, we request that you conduct a review of the AFC and provide us with the following information:

- 1) a discussion of those aspects of the proposed site and related facilities for which your agency would have jurisdiction but for the exclusive jurisdiction of the Energy Commission to certify sites and related facilities;
- 2) a determination of the completeness of the list in the AFC of the laws, regulations, ordinances, or standards which your agency administers or enforces and would be applicable to the proposed site and related facilities but for the Energy Commission's exclusive jurisdiction;

- 3) a description of the nature and scope of the requirements which the applicant would need to meet in order to satisfy the substantive requirements of your agency but for the Energy Commission's exclusive jurisdiction, and identification of any analyses that the Energy Commission should perform in order to determine whether these substantive requirements can be met; and
- 4) an analysis of whether there is a reasonable likelihood that the proposed project would be able to comply with your agency's applicable substantive requirements.

The scope of your agency's comments on the AFC should encompass *significant* concerns, and substantive requirements that would be required for permitting by your Agency but for the Energy Commission's exclusive jurisdiction or certification. (Cal. Code Regs., tit. 20, section 1714.5, subd. (a)(2); emphasis added.) Please contact us if you need additional information or need to perform analyses or studies in order to resolve any concerns of your agency. (Cal. Code Regs., tit. 20, section 1714.5.)

Assuming that the proposed project is found to be data adequate at the Energy Commission's Business Meeting on **August 12, 2009**, we request that all agency comments be provided to us by **December 10, 2009**, except for the Bay Area Air Quality Management District's Preliminary and Final Determinations of Compliance, which should be provided by **December 10, 2009**, and **February 8, 2010** respectively. You may be asked to present and explain your conclusions at public and evidentiary hearings on the project. (See Cal. Code Regs., tit. 20, sections 1714.3, 1714.5, 1743, 1744.5, and 1748). Local agencies may seek reimbursement for reasonable costs incurred in responding to these requests. (Cal. Code Regs., tit. 20, section 1715).<sup>1</sup>

Enclosed is a copy of the AFC in electronic format (CD). If you would like to have a hard copy of the AFC sent to you, if you have questions, or if you would like to participate in the Energy Commission's review of the proposed project, please contact Joseph Douglas, Energy Commission Project Manager, at (916) 653-4677, or by email at [jdouglas@energy.state.ca.us](mailto:jdouglas@energy.state.ca.us). The status of the proposed project, copies of notices, a copy of the AFC, and other relevant documents are also available on the Energy Commission's Internet web site at

<http://www.energy.ca.gov/sitingcases/contracostageneratingstation>.

You can also receive email notification of all project related activities and availability of reports by subscribing to the Listserve

at <http://www.energy.ca.gov/listservers/index.html>.

Sincerely,

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Eileen Allen, Manager  
Energy Facilities Siting and Compliance Office

Enclosure

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<sup>1</sup> Please note that pursuant to 20 CCR 1715 reimbursement is not available to state and federal agencies.