

# DOCKET

08-AFC-6

State of California

The Resources Agency of California

## Memorandum

DATE SEP 29 2009

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To: Chairman Karen Douglas, Presiding Member  
Commissioner James D. Boyd, Associate Member

Date: September 29, 2009  
Telephone (916) 654-4640

From : **California Energy Commission** Felicia Miller  
1516 Ninth Street  
Sacramento CA 95814-5512  
Project Manager

Subject: **Willow Pass Generating Station Project (08-AFC-6) STATUS REPORT 5**

Pursuant to the Committee Scheduling Order dated December 31, 2008, the following is staff's Status Report 5 for the proposed Willow Pass Generating Station (WPGS).

### Current Issues and Staff Assessment

Staff continues to work with Mirant regarding outstanding information in the area of Waste Management; specifically a workplan for characterization and for clean-up of contaminated soil, soil gas sampling, a revised Health Risk Assessment, and an Ecological Risk Screening Assessment are needed. Mirant has assured staff they continue to work through the process with the Department of Toxic Substances Control, PG&E, and Energy Commission staff, and will provide staff with updated information as it becomes available. To better facilitate the process, staff has scheduled a workshop for both Mirant energy projects; Willow Pass and Marsh Landing, to be held on October 14, 2009 in Sacramento.

Mirant was able to provide staff with adequate responses concerning parcels and assessor parcel numbers. Staff is proceeding with completion of the Land Use analysis.

The California Independent System Operator's Phase I interconnection study, or cluster study, which included the Mirant San Francisco Bay Area projects was released last month. Mirant is reviewing and commenting on the study. Although Mirant has expressed concerns regarding the validity of the study, staff has requested Mirant provide a copy of the pertinent areas of the study to assist staff in the completion of their analysis of Transmission System Engineering.

The Bay Area Quality Management District does not have a projected time frame for issuance of the Preliminary Determination of Compliance (PDOC).

### Schedule

Staff has been working closely with the applicant to resolve any project issues, and has determined that there are no issues that would preclude publishing only a Staff Assessment (SA). In this instance, staff will not be filing a Final Staff Assessment. Staff will however, proceed with publishing a SA without the PDOC. When the air district completes their Final Determination of Compliance (FDOC), staff will complete the AQ section of the SA. Delays in publication of the SA are a result of outstanding information in the areas of Waste Management, Transmission System Engineering and Air Quality.

PROOF OF SERVICE (REVISED 04/14/09) FILED WITH  
ORIGINAL MAILED FROM SACRAMENTO ON 09/29/09

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**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
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1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)**

APPLICATION FOR CERTIFICATION  
**FOR THE WILLOW PASS  
GENERATING STATION**

**Docket No. 08-AFC-6**

**PROOF OF SERVICE**  
*(Revised 4/14/2009)*

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**DECLARATION OF SERVICE**

I, April Albright, declare that on September 29, 2009, I served and filed copies of the attached Willow Pass Generating Station Project (08-AFC-6) Status Report 5, dated September 29, 2009. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: **[<http://www.energy.ca.gov/sitingcases/willowpass/index.html>]**. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

**(Check all that Apply)**

**For service to all other parties:**

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

**AND**

**For filing with the Energy Commission:**

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (**preferred method**);

**OR**

depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**

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

Original signed by \_\_\_\_\_  
**April Albright**