

CALIFORNIA ENERGY COMMISSION1516 NINTH STREET
SACRAMENTO, CA 95814-5512**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION****DOCKET**
98-AFC-2CDATE AUG 11 2010RECD. AUG 16 2010

In the Matter of:)	Docket No. 98-AFC-2C
)	
LA PALOMA GENERATING PROJECT)	Order No. 10-0811-4
)	
LA PALOMA GENERATING COMPANY, LLC)	ORDER AMENDING THE ENERGY COMMISSION DECISION
)	

On April 5, 2010, the La Paloma Generating Company, LLC filed a petition to amend Condition of Certification AQ-51 in the Energy Commission Decision for the La Paloma Generating Project (LPGP). The 1,124 megawatt project, which was certified in 1999 is located east of the community of McKittrick in Kern County.

STAFF RECOMMENDATION

Energy Commission staff reviewed the petition and assessed the impacts of this proposal on environmental quality, public health and safety, and proposes revisions as noted in the staff analysis. It is staff's opinion that, with the implementation of the revised condition of certification AQ-51, the project will remain in compliance with applicable laws, ordinances, regulations, and standards and that the proposed modifications will not result in a significant adverse direct or cumulative impact to the environment (Title 20, California Code of Regulations, Section 1769).

COMMISSION FINDINGS

As mandated by Title 20, section 1769(a)(3) of the California Code of Regulations, the Energy Commission may only approve project modifications if specific findings are met. Following staff's review of the proposed amendment, Energy Commission staff recommends approval based on the following findings:

- A. There will be no new or additional unmitigated significant environmental impacts associated with the proposed changes.
- B. Adherence to the proposed revision to Condition of Certification AQ-51 will ensure the facility's compliance with all applicable LORS.
- C. The change would be beneficial to the project owner in that it would ensure the LPGP's continuous compliance with the Energy Commission's conditions of certification and the San Joaquin Valley Air Pollution Control District's rules.
- D. There has been a substantial change in circumstances since the Energy Commission certification justifying the changes to the LPGP's cooling tower PM10 emission limits. The change is based on information that was not available to the parties prior to Energy Commission certification in that the TDS levels have increased over time.

CONCLUSION AND ORDER

The California Energy Commission hereby adopts staff's recommendations and approves revisions to the Decision, and the following changes to the La Paloma Generating Project Decision. Deleted text is in ~~striketrough~~, new text is **bold double-underlined**.

AQ-51 PM10 emission rate for each cooling tower shall not exceed ~~11.2~~ **20** lb/day.
[District Rule 2201]

Verification: The project owner shall compile the required daily PM10 emissions data and maintain the data for a period of five (5) years. The project owner shall make the site available for inspection by representatives of the District, CARB, and the Commission.

IT IS SO ORDERED.

Date: August 11, 2010

STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

A handwritten signature in black ink, appearing to read 'K. Douglas', written over a horizontal line.

KAREN DOUGLAS, Chairman