



Sunrise Power Company, LLC

Box 81617, Bakersfield, CA 93380-1617

661-615-4630

Kelly S. Lucas, Executive Director

VIA FEDERAL EXPRESS

August 13, 2010

SU-2918

Mr. Christopher Davis
California Energy Commission
1516 Ninth Street, MS-2000
Sacramento, CA 95814-5512

DOCKET
98-AFC-4C

| | |
|-------|-------------|
| DATE | AUG 13 2010 |
| RECD. | AUG 26 2010 |

Re: Sunrise Power Company (98-AFC-4C)
Petition For Minor Modification

Dear Mr. Davis:

Sunrise recently submitted a minor permit modification request to the San Joaquin Valley Air Pollution Control District (SJVAPCD) requesting that the recently issued PTO's for both turbines S-3746-1-7 and S-3746-2-7 be modified to reflect the changes to SJUVAPCD Rule 4703 that no longer reference or specify a time period for thermal stabilization. Conditions #20 and #26 from each of the recently issued PTOs still reference thermal stabilization and a time limit that is no longer applicable. In addition, the Sunrise PTO's already have defined time limits for cold, warm, and hot startups and shutdowns in condition #21 of the same PTO's. As such, the ATC modification application requests the removal of conditions #20 and #26 from the SJVAPCD PTO's S-3746-1-7 and S-3746-2-7 (Attachment 1). Based on the above information Sunrise is submitting this petition requesting to have the CEC condition of certification AQ-49 removed to reflect the same changes above.

If you have any questions, please contact Rob Hiestand at (661) 615-4781 or Daniel Beck at (661) 615-4660.

RWH:yh

Attachments

xc: D. Jordan – EPA
R. Fletcher - CARB

Attachment 1

CEC Petition for Minor Modification

1.0 OVERVIEW

Sunrise Power Company (Sunrise) received original approval (98-AFC-4C) in November 2001 from the California Energy Commission (CEC) for a 585 megawatt (MW) combined cycle power plant in Kern County, California. The facility consists of two (2) 160 MW (nominal) natural-gas fired General Electric Frame 7FA combustion turbines equipped with dry Low NO_x (DLN) combustors, two (2) duct fired heat recovery steam generators (HRSGs), and one (1) 265 MW steam turbine generator (STG). The plant also utilizes an anhydrous ammonia selective catalytic reduction system for emissions controls of NO_x and CO. Sunrise is owned jointly by Chevron and Edison Mission Energy.

Sunrise recently submitted a permit modification request to the San Joaquin Valley Air Pollution Control District (SJVAPCD) requesting that the recently issued PTO's for both turbines S-3746-1-7 and S-3746-2-7 be modified to reflect the changes to SJVAPCD Rule 4703 that no longer reference or specify a time period for thermal stabilization. Conditions #20 and #26 from each of the recently issued PTOs still reference thermal stabilization and a time limit that is no longer applicable. In addition, the Sunrise PTO's already have defined time limits for cold, warm, and hot startups and shutdowns in condition #21 of the same PTO's. As such, the ATC modification application requests the removal of conditions #20 and #26 from the SJVAPCD PTO's S-3746-1-7 and S-3746-2-7 (Attachment 2). Based on this request Sunrise is requesting to have the CEC condition of certification AQ-49 removed to reflect this same change as referenced above.

This petition for a post-certification amendment is being submitted under the provisions of Section 1769 of Title 20, California Administrative Code (*CEC Rules of Practice and Procedure and Power Plant Site Certification Regulations*) to seek a minor modification to the conditions of certification. The requirement appears in ***bold italics*** followed by a narrative response.

2.0 INFORMATION REQUIRED BY SECTION 1769

(A) A complete description of the proposed modifications, including new language for any conditions that will be affected

Sunrise recently submitted a permit modification request to the San Joaquin Valley Air Pollution Control District (SJVAPCD) requesting that the recently issued PTO's for both turbines S-3746-1-7 and S-3746-2-7 be modified to reflect the changes to SJUVAPCD Rule 4703 that no longer references or specifies a time period for thermal stabilization. Conditions #20 and #26 from each of the recently issued PTOs still reference thermal stabilization and a time limit that is no longer applicable. In addition, the Sunrise PTO's already have defined time limits for cold, warm, and hot startups and shutdowns in condition #21 of the same PTO's. As such, the ATC modification application requests the removal of conditions #20 and #26 from the SJVAPCD PTO's S-3746-1-7 and S-3746-2-7 (Attachment 2). Based on this request Sunrise is requesting to have the CEC condition of certification AQ-49 removed to reflect this same change as referenced above.

(B) A discussion of the necessity for the proposed modifications

The proposed modification is based on the recent changes to SJUVAPCD Rule 4703 that no longer reference or specify a time period for thermal stabilization. Conditions #20 and #26 from each of the recently issued PTOs still reference thermal stabilization and a time limit that is no longer applicable. In addition, the Sunrise PTO's already have defined time limits for cold, warm, and hot startups and shutdowns in condition #21 of the same PTO's.

(C) If the modification is based on information that was known by the petitioner during the certification proceeding, an explanation why the issue was not raised at that time

The modification is not based on information that was known to the petitioner at the time of the certification. The proposed modification is based on the recent changes to SJUVAPCD Rule 4703 that no longer references or specifies a time period for thermal stabilization. Conditions #20 and #26 from each of the recently issued PTOs still reference thermal stabilization and a time limit that is no longer applicable. In addition, the Sunrise PTO's already have defined time limits for cold, warm, and hot startups and shutdowns in condition #21 of the same.

(D) If the modification is based on new information that changes or undermines the assumptions, rationale, findings, or other bases of the final decision, an explanation of why the change should be permitted

The proposed modification is based on the recent changes to SJUVAPCD Rule 4703 that no longer references or specifies a time period for thermal stabilization. Conditions #20 and #26 from each of the recently issued PTOs still reference thermal stabilization and a time limit that is no longer applicable. In addition, the Sunrise PTO's already have defined time limits for cold, warm, and hot startups and shutdowns in condition #21 of the same PTO's. The modification does not change or

undermine the assumptions, rationale, findings, or other bases of the final decision. Therefore, the change should be permitted.

(E) An analysis of the impacts the modification may have on the environment and proposed measures to mitigate any significant adverse impacts

This minor amendment will not change the operation of the facility, nor will it have an impact on air quality since the facility already operates under other PTO conditions that define time limits for stopping, cold, warm, and hot startups. No other environmental issues or concerns are affected by the proposed change and no additional analysis is needed to evaluate other environmental areas.

(F) A discussion of the impact of the modification on the facility's ability to comply with applicable laws, ordinances, regulations, and standards

The proposed change does not affect Sunrise's ability to comply with applicable laws ordinances, regulations, and standards.

(G) A discussion of how the modification affects the public

This minor amendment will not affect the public since this change does not change the operation of the facility, nor will it have an impact on air quality since the facility already operates under other PTO conditions that define time limits for stopping, cold, warm, and hot startups.

(H) A list of property owners potentially affected by the modification

There are no property owners that will be affected by the proposed modification. A single property owner is located within 1000 feet of the Sunrise site, Chevron. The applicable contact information for Chevron is provided below:

| | Physical Address | Mailing Address |
|---------|---------------------------------------|---------------------------------------|
| Chevron | 26251 Highway 33 Fellows, CA 93224 | 26251 Highway 33 Fellows, CA 93224 |

(I) A discussion of the potential effect on near by property owners, the public and the parties in the application proceedings

The proposed revisions will not affect nearby property owners.

3.0 SCHEDULE

Due to the insignificant nature of this change Sunrise respectfully requests that the CEC process this petition to approve the described change as expeditiously as is possible.

4.0 PETITION CONTACTS

Questions regarding this petition should be directed to:

Rob Hiestand
Regulatory Compliance Coordinator
Sunrise Power Company, LLC
P.O. Box 81617
Bakersfield, CA 93380
Phone: (661) 615-4781
Fax: (661) 615-4610

Daniel Beck
HES Supervisor
Sunrise Power Company, LLC
P.O. Box 81617
Bakersfield, CA 93380
Phone: (661) 615-4660
Fax: (661) 615-4610

5.0 SUMMARY

Sunrise recently submitted a permit modification request to the San Joaquin Valley Air Pollution Control District (SJVAPCD) requesting that the recently issued PTO's for both turbines S-3746-1-7 and S-3746-2-7 be modified to reflect the changes to SJVAPCD Rule 4703 that no longer references or specifies a time period for thermal stabilization. Conditions #20 and #26 from each of the recently issued PTOs still reference thermal stabilization and a time limit that is no longer applicable. In addition, the Sunrise PTO's already have defined time limits for cold, warm, and hot startups and shutdowns in condition #21 of the same PTO's. As such, the ATC modification application requests the removal of conditions #20 and #26 from the SJVAPCD PTO's S-3746-1-7 and S-3746-2-7 (Attachment 2). Based on this request Sunrise is requesting to have the CEC condition of certification AQ-49 removed to reflect this same change as referenced above.

This minor amendment will not change the operation of the facility, nor will it have an impact on air quality since the facility already operates under other PTO conditions that define time limits for stopping, cold, warm, and hot startups. Due to the insignificant nature of this change Sunrise respectfully requests that the CEC process this petition to approve the described change as expeditiously as is possible.

Based on this expedited processing of this petition is respectfully requested.

Attachment 2

SJVAPCD ATC application



Sunrise Power Company, LLC

Box 81617, Bakersfield, CA 93380-1617 •

661-615-4630

Kelly S. Lucas, Executive Director

VIA FAX AND MAIL

June 21, 2010

SU-2888

Ms. Gurpreet Brar
San Joaquin Valley APCD – Central Region
1990 E. Gettysburg Ave.
Fresno, CA 93726

Re: **Minor Modification Application for S-3746-1-7 and S-3746-2-7**

Dear Ms. Brar:

Based on a recent telephone conversation between yourself and Rob Hiestand of our staff, Sunrise is requesting that the recently issued PTO's for both turbines S-3746-1-7 and S-3746-2-7 be modified to reflect the changes to Rule 4703 that no longer reference or specify a time period for thermal stabilization. Conditions #20 and #26 from each of the recently issued PTOs still reference thermal stabilization and a time limit that is no longer applicable. In addition, the Sunrise PTOs already have defined time limits for cold, warm, and hot startups and shutdowns in condition #21 of the same PTO's. As such, the enclosed ATC modification application requests the removal of conditions #20 and #26 from PTO's S-3746-1-7 and S-3746-2-7. Attached is a check for the application fees.

If you have any questions, please contact Rob Hiestand at (661) 615-4781 or Daniel Beck at (661) 615-4660.

RWH:klz

Attachments

xc: C. Davis – CEC
L. Scandura – SJVAPCD-Southern Region
S. Frey - EPA
D. Jordan - EPA (Attn: AIR-5)
R. Fletcher – CARB

ATC Modification Package

**San Joaquin Valley
Unified Air Pollution Control District**

TITLE V MODIFICATION - COMPLIANCE CERTIFICATION FORM

I. TYPE OF PERMIT ACTION (Check appropriate box)

☐ SIGNIFICANT PERMIT MODIFICATION ☐ ADMINISTRATIVE
☒ MINOR PERMIT MODIFICATION ☐ AMENDMENT

| | |
|--|----------------------------|
| COMPANY NAME: Sunrise Power Company, LLC | FACILITY ID: S 3746 |
| 1. Type of Organization: <input type="checkbox"/> Corporation <input type="checkbox"/> Sole Ownership <input type="checkbox"/> Government <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Utility | |
| 2. Owner's Name: Sunrise Power Company, LLC | |
| 3. Agent to the Owner: Kelly S. Lucas | |

II. COMPLIANCE CERTIFICATION (Read each statement carefully and initial all circles for confirmation):

- ☒ Based on information and belief formed after reasonable inquiry, the equipment identified in this application will continue to comply with the applicable federal requirement(s).
- ☒ Based on information and belief formed after reasonable inquiry, the equipment identified in this application will comply with applicable federal requirement(s) that will become effective during the permit term, on a timely basis.
- ☒ Corrected information will be provided to the District when I become aware that incorrect or incomplete information has been submitted.
- ☒ Based on information and belief formed after reasonable inquiry, information and statements in the submitted application package, including all accompanying reports, and required certifications are true accurate and complete.

I declare, under penalty of perjury under the laws of the state of California, that the forgoing is correct and true:

Kelly Lucas
Signature of Responsible Official

6/21/2010
Date

KELLY LUCAS
Name of Responsible Official (please print)



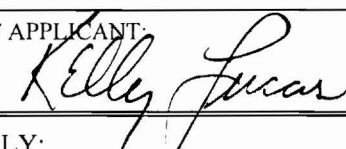
EXECUTIVE DIRECTOR
Title of Responsible Official (please print)

San Joaquin Valley Air Pollution Control District

www.valleyair.org

Permit Application For:

- [] AUTHORITY TO CONSTRUCT (ATC) - New Emission Unit
[X] AUTHORITY TO CONSTRUCT (ATC) - Modification Of Emission Unit With Valid PTO/Valid ATC
[] AUTHORITY TO CONSTRUCT (ATC) - Renewal of Valid Authority to Construct
[] PERMIT TO OPERATE (PTO) - Existing Emission Unit Now Requiring a Permit to Operate

| | |
|--|---|
| 1. PERMIT TO BE ISSUED TO: Sunrise Power Company, LLC. | |
| 2. MAILING ADDRESS: STREET/P.O. BOX: _____ P.O. Box 81617 CITY: _____ Bakersfield _____ STATE: _____ CA. _____ 9-DIGIT ZIP CODE: _____ 93380-1617 | |
| 3. LOCATION WHERE THE EQUIPMENT WILL BE OPERATED: STREET: _____ 12857 Sunrise Power Road _____ CITY: _____ Fellows _____ _____ East _____ /4 SECTION 23 _____ TOWNSHIP 31 _____ RANGE 22 _____ | WITHIN 1,000 FT OF A SCHOOL? [] YES [X] NO S.I.C. CODE(S) OF FACILITY (If known): 4911 |
| 4. GENERAL NATURE OF BUSINESS: Generation of electricity | INSTALL DATE: _____ |
| 5. TITLE V PERMIT HOLDERS ONLY: Do you request a COC (EPA Review) prior to receiving your ATC (If yes, please complete and attach a Compliance Certification form (TVFORM-009)? [X] YES [] NO | |
| 6. DESCRIPTION OF EQUIPMENT OR MODIFICATION FOR WHICH APPLICATION IS MADE (include Permit #'s if known, and use additional sheets if necessary) Sunrise is requesting to remove conditions #20 and #26 of PTO S-3746-1-7 to reflect the changes to Rule 4703 that no longer reference or specify a time period for thermal stabilization. | |
| 7. PERMIT REVIEW PERIOD: Do you request a three- or ten-day period to review the draft Authority to Construct permit? Please note that checking "YES" will delay issuance of your final permit by a corresponding number of working days. See instructions for more information on this review process. [] 3-day review [X] 10-day review [] No review requested | |
| 8. HAVE YOU EVER APPLIED FOR AN ATC OR PTO IN THE PAST? [X] YES [] NO If yes, ATC/PTO #: S-3746 | Optional Section 11. DO YOU WANT TO RECEIVE INFORMATION ABOUT EITHER OF THE FOLLOWING VOLUNTARY PROGRAMS? [] "HEALTHY AIR LIVING (HAL) BUSINESS PARTNER"  [] "INSPECT"  |
| 9. IS THIS APPLICATION FOR THE CONSTRUCTION OF A NEW FACILITY? [] YES [X] NO (If "Yes" is checked, please complete the CEQA Information form) | |
| 10. IS THIS APPLICATION SUBMITTED AS THE RESULT OF EITHER A NOTICE OF VIOLATION OR A NOTICE TO COMPLY? [X] YES [] NO If yes, NOV/NTC #: 5005037 | |
| 12. TYPE OR PRINT NAME OF APPLICANT: Kelly S. Lucas | |
| TITLE OF APPLICANT: <u>EXECUTIVE DIRECTOR</u> | |
| 13. SIGNATURE OF APPLICANT:  | DATE: <u>6/21/2010</u> |
| PHONE #: (661) 615-4630 FAX #: (661) 615-4610 E-MAIL: rwhiestand@sycamore.com | |

FOR APCD USE ONLY:




| | |
|-------------|--|
| DATE STAMP: | FILING FEE RECEIVED: \$ _____ CHECK #: _____ |
| | DATE PAID: _____ |
| | PROJECT #: _____ FACILITY ID: _____ |

San Joaquin Valley Air Pollution Control District

www.valleyair.org

Permit Application For:

- | | | |
|-------------------------------------|------------------------------|--|
| <input type="checkbox"/> | AUTHORITY TO CONSTRUCT (ATC) | - New Emission Unit |
| <input checked="" type="checkbox"/> | AUTHORITY TO CONSTRUCT (ATC) | - Modification Of Emission Unit With Valid PTO/Valid ATC |
| <input type="checkbox"/> | AUTHORITY TO CONSTRUCT (ATC) | - Renewal of Valid Authority to Construct |
| <input type="checkbox"/> | PERMIT TO OPERATE (PTO) | - Existing Emission Unit Now Requiring a Permit to Operate |

| | |
|---|---|
| 1. PERMIT TO BE ISSUED TO: Sunrise Power Company, LLC. | |
| 2. MAILING ADDRESS: STREET/P.O. BOX: <u>P.O. Box 81617</u> CITY: <u>Bakersfield</u> STATE: <u>CA</u> 9-DIGIT ZIP CODE: <u>93380-1617</u> | |
| 3. LOCATION WHERE THE EQUIPMENT WILL BE OPERATED: STREET: <u>12857 Sunrise Power Road</u> CITY: <u>Fellows</u> <u>East</u> /4 SECTION <u>23</u> TOWNSHIP <u>31</u> RANGE <u>22</u> | WITHIN 1,000 FT OF A SCHOOL? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO S.I.C. CODE(S) OF FACILITY (If known): 4911 |
| 4. GENERAL NATURE OF BUSINESS: Generation of electricity | INSTALL DATE: |
| 5. TITLE V PERMIT HOLDERS ONLY: Do you request a COC (EPA Review) prior to receiving your ATC (If yes, please complete and attach a Compliance Certification form (TVFORM-009)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | |
| 6. DESCRIPTION OF EQUIPMENT OR MODIFICATION FOR WHICH APPLICATION IS MADE (include Permit #'s if known, and use additional sheets if necessary) Sunrise is requesting to remove conditions #20 and #26 of PTO S-3746-2-7 to reflect the changes to Rule 4703 that no longer reference or specify a time period for thermal stabilization. | |
| 7. PERMIT REVIEW PERIOD: Do you request a three- or ten-day period to review the draft Authority to Construct permit? Please note that checking "YES" will delay issuance of your final permit by a corresponding number of working days. See instructions for more information on this review process. <input type="checkbox"/> 3-day review <input checked="" type="checkbox"/> 10-day review <input type="checkbox"/> No review requested | |
| 8. HAVE YOU EVER APPLIED FOR AN ATC OR PTO IN THE PAST? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, ATC/PTO #: <u>S-3746</u> | Optional Section 11. DO YOU WANT TO RECEIVE INFORMATION ABOUT EITHER OF THE FOLLOWING VOLUNTARY PROGRAMS? <input type="checkbox"/> "HEALTHY AIR LIVING (HAL) BUSINESS PARTNER" <input type="checkbox"/> "INSPECT"   |
| 9. IS THIS APPLICATION FOR THE CONSTRUCTION OF A NEW FACILITY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "Yes" is checked, please complete the CEQA Information form) | |
| 10. IS THIS APPLICATION SUBMITTED AS THE RESULT OF EITHER A NOTICE OF VIOLATION OR A NOTICE TO COMPLY? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, NOV/NTC #: <u>5005037</u> | |
| 12. TYPE OR PRINT NAME OF APPLICANT: Kelly S. Lucas | TITLE OF APPLICANT: <u>EXECUTIVE DIRECTOR</u> |
| 13. SIGNATURE OF APPLICANT:  | DATE: <u>6/21/2010</u> PHONE #: (661) 615-4630 FAX #: (661) 615-4610 E-MAIL: <u>rwhiestand@sycamore.com</u> |
| FOR APCD USE ONLY: | |
| DATE STAMP: | FILING FEE RECEIVED: \$ _____ CHECK #: _____ DATE PAID: _____ PROJECT #: _____ FACILITY ID: _____ |

ATC Modification Checks

| REF. NO. | INVOICE NO. | INVOICE DATE | INVOICE AMOUNT | AMOUNT PAID | DISCOUNT TAKEN | NET CHECK AMOUNT |
|---------------|-------------|--------------|----------------|-------------|----------------|------------------|
| 019683 050710 | | 6/7/2010 | 71.00 | 71.00 | 0.00 | 0.00 |

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

JPMorgan Chase Bank, N.A.
Syracuse, New York

00062895

50-937/213

Sunrise Power Co. LLC-Operating

PO Box 81617
Bakersfield, CA 93380

| DATE | CHECK NO. | AMOUNT |
|----------|-----------|------------|
| 6/8/2010 | 062895 | *****71.00 |

PAY Seventy-One and 00/100-----

TO THE ORDER OF San Joaquin Valley Unified Air
1990 E. Gettysburg Ave.
Fresno, CA 93726-0244
United States

DOCUMENT INCLUDES A HIDDEN WORD. DO NOT CASH IF THE WORD VOID IS VISIBLE. DOCUMENT ALSO CONTAINS HEAT-SENSITIVE INK. TOUCH HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈00062895⑈ ⑆021309379⑆ 60108⑈50894⑈

| REF. NO. | INVOICE NO. | INVOICE DATE | INVOICE AMOUNT | AMOUNT PAID | DISCOUNT TAKEN | NET CHECK AMOUNT |
|----------------|-------------|--------------|----------------|-------------|----------------|------------------|
| 019684 050710A | | 6/7/2010 | 71.00 | 71.00 | 0.00 | 0.00 |

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

JPMorgan Chase Bank, N.A.
Syracuse, New York

00062896

50-937/213



Sunrise Power Co. LLC-Operating

PO Box 81617
Bakersfield, CA 93380

| DATE | CHECK NO. | AMOUNT |
|----------|-----------|------------|
| 6/8/2010 | 062896 | *****71.00 |

PAY Seventy-One and 00/100-----

TO THE
ORDER
OF San Joaquin Valley Unified Air
1990 E. Gettysburg Ave.
Fresno, CA 93726-0244
United States

DOCUMENT INCLUDES A HIDDEN WORD. DO NOT CASH IF THE WORD VOID IS VISIBLE. DOCUMENT ALSO CONTAINS HEAT-SENSITIVE INK. TOUCH HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈00062896⑈ ⑆021309379⑆ 601⑈8⑈50894⑈