

**CALIFORNIA ENERGY COMMISSION**

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
www.energy.ca.gov



**NOTICE OF DETERMINATION  
PETITION TO MODIFY THE DISPOSAL OF FLYASH  
FOR THE ARGUS COGEN EXPANSION PROJECT  
(86-AFC-1C)**

**DOCKET****86-AFC-1C**DATE OCT 21 2011RECD. OCT 21 2011

A petition was filed on September 13, 2011 with the California Energy Commission (Energy Commission) by ACE Cogeneration Company, requesting to modify the Argus Cogeneration Expansion (ACE) Project. The 100-megawatt project was certified by the Energy Commission on January 6, 1988, and began commercial operation on September 1, 1990. The facility is located in the City of Trona, in San Bernardino County.

**DESCRIPTION OF PROPOSED MODIFICATIONS**

A concrete supplier in Southern California has offered to purchase the ACE Project flyash which consists of 4-8 truckloads per day. This means:

- ACE could divert ash from its landfill which will prolong the useful life of the landfill;
- A beneficial use for the flyash would be established; and
- ACE could generate revenue from what has historically been a waste stream.

The modifications proposed in the petition would provide ACE with an opportunity to beneficially use its flyash. ACE currently disposes of its ash, which consists of bottom ash and flyash, in its onsite landfill. The landfill is slowly filling up and an alternative must be developed.

**ENERGY COMMISSION STAFF REVIEW AND DETERMINATION**

Pursuant to section 1769(a)(2), Title 20, California Code of Regulations, “(w)here staff determines that there is no possibility that the modifications may have a significant effect on the environment, and if the modifications will not result in a change or deletion of a condition adopted by the commission in the final decision or make changes that would cause the project not to comply with any applicable laws, ordinances, regulations, or standards, no commission approval is required...”

Energy Commission staff has determined that approval by the full Commission is not required and the proposed modifications meet the criteria for approval at the staff level because:

- The modification will not have any significant effect on the environment;
- Existing conditions of certification are sufficient to cover the proposed modification without changes to, or deletions of, any conditions of certification; and
- The project as modified will maintain full compliance with applicable LORS.

Any person may file a written objection to staff's determination within 14 days of the date of this notice on the grounds that the project modification does not meet the criteria set forth in Section 1769(a)(2). All objections must be in writing and must be sent either by U.S. mail, e-mail, or other document delivery service to Dale Rundquist, Compliance Project Manager, at the address shown below:

California Energy Commission  
1516 9<sup>th</sup> Street, MS 2000  
Sacramento, CA 95814

Comments may be submitted by fax to (916) 654-3882, or by e-mail at [drundqui@energy.state.ca.us](mailto:drundqui@energy.state.ca.us). If no substantive objection is received in writing, the requested project modifications will be deemed approved.

For further information on how to participate in this proceeding, please contact the Energy Commission Public Adviser's Office, at (916) 654-4489, or toll free in California at (800) 822-6228, or by e-mail at [publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us). News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by e-mail at [mediaoffice@energy.state.ca.us](mailto:mediaoffice@energy.state.ca.us).

If you have questions about this notice, please contact Dale Rundquist at (916) 651-2072, or by fax or e-mail using the above information.

Date: \_\_\_\_\_

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**CHRISTOPHER J. MARXEN**

Manager, Compliance Office  
Siting, Transmission & Environmental  
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