

**CALIFORNIA ENERGY COMMISSION**

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**STATE OF CALIFORNIA  
ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION**

<b>DOCKET</b>	
<b>08-AFC-3C</b>	
DATE	_____
RECD.	MAY 15 2012

**In the Matter of:** )  
**Marsh Landing Generating Station** ) **Docket No. 08-AFC-3C**  
**Project** ) )  
) **Order No. 12-0425-2**  
) **ORDER APPROVING a Petition to**  
**GenOn Marsh Landing, LLC.** ) **Incorporate Design Refinements**

On February 3, 2012, GenOn Marsh Landing, LLC., the owner of the Marsh Landing Generating Station Project, submitted a petition requesting to incorporate design refinements to the project that were identified during additional design work that occurred after the Commission Decision was issued.

The modifications proposed in the petition would allow for the following changes to be made:

- Two 8 million British thermal units per hour (MMbtu/hr) natural gas fired pre-heaters will replace two 5 MMbtu/hr pre-heaters that were approved;
- The water treatment at the plant will include a single-pass reverse osmosis system and will be moved into a new 7,922 square-foot building. The total height of that building will be 18 feet;
- Increase the raw water storage tank from 300,000 gallons to 600,000 gallons;
- Remove the planned 300,000-gallon service water storage tank;
- Remove the planned 200,000-gallon secondary evaporative cooler blend water storage tank;
- Add a 170,000-gallon reverse osmosis permeate storage tank;
- Reduce the size of the planned wastewater storage tank from 500,000 gallons to 200,000 gallons;
- Total water storage on site will be reduced from 1.3 million gallons provided by 4 tanks, to 0.97 million gallons provided by three tanks;
- The sewer line along Wilbur Avenue is now proposed to be a 15-inch-diameter pipe, instead of a 6-inch-diameter pipe as approved in the Decision;

- The construction warehouse is now proposed to be a permanent structure rather than temporary, as approved in the Decision;
- The arrangements of the interconnection at the switch yard would be modified to accommodate changes being made by PG&E. Pole locations would change, but pole heights will remain the same. A switch yard building is also being proposed as well;
- The ammonia system is proposed to have single wall piping instead of double wall piping, for the section of piping between the storage tank and the ammonia injection skids. A slightly modified above-ground containment area and underground sump are proposed. The drain will be slightly smaller at 38-inches in diameter. The truck unloading area will have a slightly modified above-ground containment area and the drain will be slightly larger at 30-inches in diameter;
- The main access road alignment has been moved slightly south to avoid the covered parking, and the covered parking is now proposed to remain on site; and
- The tempering air fans will no longer be inside a building and will have silencer housing on the inlet ducts. Each unit will have two 2,000-horsepower (HP) single speed fans. Both fans will be on the west side of each unit.

The modifications were reviewed by the Bay Area Air Quality Management District (BAAQMD). The BAAQMD determined no revisions to District documents were required, as the affected equipment is exempt from their permitting requirements. However, the affected equipment needs to be registered with the BAAQMD and additional emission reduction credits required in AQ-SC7 must be surrendered to the BAAQMD.

### **STAFF RECOMMENDATION**

Energy Commission staff reviewed the petition and finds that it complies with the requirements of Title 20, Section 1769(a) of the California Code of Regulations and recommends approval of GenOn Marsh Landing, LLC. petition to modify the Marsh Landing Generating Station Project and amend related Conditions of Certification.

### **ENERGY COMMISSION FINDINGS**

Based on staff's analysis, the Energy Commission concludes that the proposed changes will not result in any significant impact to public health and safety, or the environment. The Energy Commission finds that:

- The petition meets all the filing criteria of Title 20, section 1769(a) of the California Code of Regulations concerning post-certification project modifications;
- The modification will not change the findings in the Energy Commission's Final Decision pursuant to Title 20, section 1755;

- The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525;
- The Change will be beneficial to the project owner by reducing costs and ensuring that the project is constructed and operated effectively;
- The change is based on information that was not available to the parties prior to Energy Commission certification in that the modifications were identified during final design after the Commission Decision was approved.

## CONCLUSION AND ORDER

The California Energy Commission hereby adopts Staff's recommendations and approves the following changes to the Commission Decision for the Marsh Landing Generating Station Project. New language is shown as **bold and underlined**, and deleted language is shown in ~~strikeout~~.

## CONDITIONS OF CERTIFICATION

**AQ-SC7** The project owner shall provide emission reductions in the form of offsets or emission reduction credits (ERCs) in the quantities of at least ~~78.83~~ **78.93** tons per year (tpy) NOx, ~~14.23~~ **14.26** tpy VOC, ~~31.57~~ **31.70** tpy PM10, and ~~4.96~~ **4.95** tpy SOx emissions. The project owner shall demonstrate that the reductions are provided in the form required by the Bay Area Air Quality Management District.

**Verification:** The project owner shall submit to the CPM records showing that the project's offset requirements have been met prior to initiating construction. If the CPM approves a substitution or modification to the list of ERCs, the CPM shall file a statement of the approval with the project owner and the Energy Commission docket. The CPM shall maintain an updated list of approved ERCs for the project.

**BIO-8** The project owner shall provide an annual payment to Friends of San Pablo Bay to assist in noxious weed management at the Antioch Dunes National Wildlife Refuge. The first annual payment shall be at least equal to ~~\$2,693.00~~ **\$2,805.00**.

Each subsequent annual payment as calculated above shall be adjusted for inflation in accordance with the Employment Cost Index – West or its successor, as reported by the U.S. Department of Labor's Bureau of Labor Statistics. Payment shall be made annually for the duration of project operation. The project owner has voluntarily offered to contribute additional annual funding for weed management efforts at the Antioch Dunes National Wildlife Refuge in an amount equal to \$20,000 per year and has agreed to include that additional payment as a requirement in this condition of certification. The additional annual payment shall be made at the same time as the annual payment specified above and shall be made for the duration of project operation, but shall not be adjusted for inflation.

**Verification:** No later than 30 days following the start of project operation, the project owner shall provide written verification to the CPM, USFWS, and CDFG that the first-annual payment was made to the Friends of San Pablo Bay in accordance with this condition of certification. The project owner shall provide evidence that it has specified that its annual payment to Friends of San Pablo Bay can be used only to assist in noxious weed management at the Antioch Dunes National Wildlife Refuge.

**IT IS SO ORDERED.**

**CERTIFICATION**


*The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the California Energy Commission held on April 25, 2012.*

**AYE:** Weisenmiller, Douglas, Peterman

**NAY:** None

**ABSENT:** None

**ABSTAIN:** None

  
\_\_\_\_\_  
Harriet Kallemeyn,  
Secretariat