

**CALIFORNIA ENERGY COMMISSION**

1516 NINTH STREET  
SACRAMENTO, CA 95814-5112  
www.energy.ca.gov

**05-AFC-2C**

DATE JUN 15 2012

RECD. JUN 15 2012



**NOTICE OF DETERMINATION  
PETITION TO MODIFY THE PROJECT DESCRIPTION TO INCLUDE AN OFF-SITE  
INDUSTRIAL WASTEWATER DISCHARGE CONNECTION  
FOR THE WALNUT CREEK ENERGY PARK  
(05-AFC-2C)**

A petition has been filed with the California Energy Commission by Walnut Creek Energy, LLC, requesting to modify the Walnut Creek Energy Park (WCEP). The 500-megawatt project was certified by the Energy Commission on February 27, 2008, with construction commencing on June 1, 2011. The facility is located at approximately 911 Bixby Drive in the City of Industry, Los Angeles County.

**DESCRIPTION OF PROPOSED MODIFICATIONS**

The modification proposed in the petition would expand the project description to include an off-site industrial wastewater discharge connection to the existing Los Angeles County Sanitation District (LACSD) 42-inch diameter trunk sewer line located approximately three feet to the west of the original project licensed boundary on an adjacent parcel owned by the City of Industry. The petition to modify the industrial wastewater discharge connection can be reviewed at:

[http://www.energy.ca.gov/sitingcases/walnutcreek/compliance/2012-04-26 Industrial Wastewater Discharge Connection.pdf](http://www.energy.ca.gov/sitingcases/walnutcreek/compliance/2012-04-26%20Industrial%20Wastewater%20Discharge%20Connection.pdf).

**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 Joan Walter, 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 [joan.walter@energy.ca.gov](mailto:joan.walter@energy.ca.gov). 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 Joan Walter at (916) 654-5153 or by fax or e-mail using the above information.

Date: June 15, 2012

  
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**CHRISTOPHER J. MARXEN**, Manager  
Compliance Office  
Siting, Transmission & Environmental Protection  
Division

**Mail List # 7096**