AES Huntington Beach, L.L.C.

March 6, 2006

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Ms. Donna Stone
Compliance Project Manager
1516 9th Street, MS 2000
Sacramento, CA 95814

Subject: AES Huntington Beach Generation Station (CEC Docket No. 00-AFC-13C)
Annual Compliance Report and 5-Year Compliance Verification

Dear Ms. Stone:

On behalf of AES Huntington Beach, L.L.C. and in accordance with the requirements of the California Energy Commission's Conditions of Certification for the Huntington Beach Generating Station (CEC Docket No. 00-AFC-13), enclosed are the following attachments:

Attachment A: An Annual Compliance Report for the period January 1, 2005 to January 1, 2006. Also attached is the Compliance Matrix which shows the specific Conditions of Certification, Verification required, and status of the condition.

Attachment B: A 5-year Compliance Verification Summary as per License Condition EMERGENCY-2.

As demonstrated in these documents, AES has complied with all CEC Conditions of Certification as well as other permits required to operate the Generating Station. AES requests that based on the information presented here and in other compliance documents submitted to the CEC since commercial operation (quarterly and annual reports), that the CEC grant AES the approval to continue to operate Units 3 and 4 through September 30, 2011.

Please do not hesitate to contact me or Paul Hurt at (714) 374-1408 if you have any questions regarding this submittal.

Sincerely,

Eric Pendergraft, Manager
AES Huntington Beach, L.L.C.

Enclosures:

ATTACHMENT A
ANNUAL COMPLIANCE REPORT

2005 ANNUAL COMPLIANCE REPORT FOR THE HUNTINGON BEACH GENERATING STATION (00-AFC-13)

The California Energy Commission's Conditions of Certification for the Huntington Beach Generating Station (CEC Docket No. 00-AFC-13) requires AES to submit an Annual Compliance Report. Quarterly reports previously submitted for the four periods of 2005 make up the bulk of the required information and are included here by reference (Huntington Beach Generating Station Quarterly Compliance Report, dated April 13, 2005, July 21, 2005, October 14, 2005, and January 27, 2006).

In addition, ten specific items were identified in General Order No. 1 of the Conditions of Certification (pg. 196) and can be addressed as follows:

1) An updated compliance matrix which shows the status of all conditions of certification.

   Included in this submittal is a detailed Compliance Matrix addressing each Conditions of Certification.

2) A summary of the current project operating status and an explanation of any significant changes to facility operations during the year.

   Inclusive in the reports are our operating characteristics. We have not seen any significant changes in our facility operations with the exception of our run profile being expanded above initial projections.

3) Documents required by specific conditions to be submitted along with the Annual Compliance Report. Each of these items must be identified in the transmittal letter, and should be submitted as attachments to the Annual Compliance Report.

   All supporting documentation is supplied as noted.

4) A cumulative listing of all post – certification changes approved by the Energy Commission or cleared by the CPM.

   There have been no significant changes at this time.

5) An explanation for any submittal deadlines that were missed, accompanied by an estimate of when the information will be provided.

   Included in the Compliance Matrix are the conditions that we are currently working on with the CEC to finalize and implement.

6) A listing of filings made to, or permits issued by, other governmental agencies during the year.

   The EPA Title V Permit Application Renewal was submitted in June 2004. A renewal application for the NPDES Permit was also submitted in December 2004. AES Huntington Beach is currently operating under a Permit Shield for these requirements.

   In support of EPA's Phase II-316(b) Rule (40 CFR Part 125 Subpart J), a station specific Proposal for Information Collection (PIC) was submitted to the RWQCB August 1, 2005. The proposal is to use, with slight modification, the information gathered in the CEC Impingement and Entrainment Study. The PIC was approved on November 16, 2005. AES will submit the Comprehensive Demonstration Study (CDS) to fulfill permit application information requirements specified by the 316(b) Rule by January 1, 2007.

   AES, CEC and SCAQMD were in negotiations over for the past several months involving the best available control technology (BACT) for the fire pumps. The negotiations for BACT were recently resolved on February 8, 2006, which allowed AES to continue to operate the new fire pumps that were installed in July 2002. A draft Minor Title V Permit Revision was sent to EPA on February 21, 2006 for the required 45-day review period. Other agency correspondences are included in the quarterly reports.

7) A projection of project compliance activities scheduled during the next year.

   As noted in the 5-Year Compliance Review, AES recently completed the construction of the wall along Newland Street as part of the landscaping plan. The completion of the landscaping is pending the completion of the City of Huntington Beach's road widening project.

8) A list of the year's additions to the on-site compliance report.

   The Quarterly Compliance Reports have been submitted to the CEC. In addition, changes in the previous annual Report Matrix have been put in bold lettering.

9) An evaluation of the on-site contingency plan for unexpected facility closure, including any suggestions necessary for bringing the plan up to date.

   Please note the Master Site Plan referred to in Condition EMER-3 and submitted to the CEC on July 1, 2004.

10) A listing of complaints, notices of violation, official warnings, and citations received during the year. A description of the resolution of any complaints which have been resolved, and the status of any unresolved complaints.

    Any of the above is noted in the Quarterly Compliance Reports. Some current issues are also addressed in the 5-Year Compliance Review Report.

ATTACHMENT B
COMPLIANCE VERIFICATION SUMMARY

1.0 INTRODUCTION

1.1 History of License

On May 11, 2001, the CEC approved an "Emergency Certification with Conditions" for the AES Units 3 & 4 Retool Project at the Huntington Beach Generating Station. The Emergency Provisions were further refined following a hearing on July 11, 2001, whereby provision EMREGENCY-1 was deleted (CDWR sales contract requirement), and provision EMERGENCY-2 was clarified regarding the 5-year compliance determination. The final sets of emergency conditions are shown below:

EMERGENCY-2:

This certification is granted by the Energy Commission for a limited period subject to an extension review by the Energy Commission as described below, conducted at the request of the project owner made no sooner than January 1, 2006 and no later than March 31, 2006. The project owner's request for extension review shall be accompanied by evidence from the project owner and others relevant to the findings set forth below. The energy commission shall approve the continuation of this certification if it finds that:

1) the project owner has substantially complied with the conditions of certification;
2) the project owner has mitigated or is mitigating the project's contribution to environmental impacts that are the subject of the studies required by the conditions of certification; and
3) All currently required permits (i.e., NPDES) are in force and the project owner is in substantial compliance with each permit. If the Energy Commission approves the continuation, this certification will expire on September 30, 2011. If the Energy commission does not request the continuation or the project owner does not request the continuation before April 1, 2006, this certification will expire on September 30, 2006.

EMERGENCY-3:

On or before June 30, 2004, AES shall submit to the Commission and the City of Huntington Beach a Master Development Plan setting forth its plans for the long-term use of the Huntington Beach Generating Station site beyond September 30, 2006, including but not limited to its plans for the operation, repowering, reconfiguration, closure, decommissioning, moth-balling, demolition, or dismantling of any operating unit then in place.

The purpose for AES's submittal of this extension review document is to comply with provision EMERGENCY-2, which establishes the conditions surrounding the 10-year licensing period.

The CEC's rationale for establishing the EMERGENCY-2 provision was outlined on page 8 of the Commission Decision, under the section entitled *California's Electrical Emergency*. In summary, the Commission was under state-wide pressure to quickly bring local power to the California grid, and the AES Retool Project had committed to

provide such a supply. On the other hand, there were project interveners that were forcefully pressing for more time to assess potential environmental impacts of the project. The ultimate resolution by the CEC was to grant the license for ten years, and include a 5-year compliance check to ensure that AES satisfactorily pursued pending environmental analysis.

The documentation provided below supports the CEC in making the determination that AES has fully complied with its conditions of certification, implemented mitigation measures consistent with conducted studies, and maintained compliance with other currently required permits.

1.2 Extension Review Process

The Energy Commission granted AES a 10-year certification for the Unit 3&4 Retool Project; however as mitigation considerations were not considered complete at the time of licensing, AES was to prove substantial compliance with all license conditions by April 1, 2006. In its own words, the Energy Commission stated that:

> "AES shall present evidence to the Commission that it is in compliance with all conditions of certification, that it has or is implementing environmental mitigation measures for which it is responsible, and that it is in compliance with any other applicable permits."

It is AES' understanding that upon proving substantial compliance for the first 5 years of the certification, which this submittal does, then the certification for Units 3&4 will expire as originally approved on September 30, 2011.

1.3 5 Year Compliance Summary

Each year since the CEC issued the license for the Retool Project, AES has provided quarterly and annual compliance reports, articulating AES' compliance-related activities and documenting compliance on a condition-by-condition basis. Attached with this submittal is the 5th Annual Compliance Report. AES' attached compliance evaluation, as well as an independent compliance evaluation conducted by URS Corporation, shows that AES Units 3 & 4 have been in continued compliance with all CEC conditions of certification.

The remaining portions of this submittal provide more specific details to the above full compliance assertion.

2.0 COMPLIANCE STATUS

The Compliance Matrix, included as an attachment of this submittal, summarizes the current compliance status for CEC Conditions of Certification for the Project. The column entitled "Project Phase" organizes the conditions by major project category, including:

P – Preconstruction
C – Construction
O – Operations

Each of the sections below refers to these categories in the matrix.

3.0 PRECONSTRUCTION

The CEC Final Decision included Conditions of Certification that had to be submitted prior to the CEC authorizing the start of construction. Prior to receiving the Final Decision, AES began preparing the required submittals. Many of these preconstruction submittals were made prior to the Commission approved the Final Decision in order to receive approval to start construction shortly after the Final Decision was approved. Approval to begin construction was provided by the CEC on May 23, 2001. Construction began on May 30, 2001.

AES made several submittals to the CEC to comply with preconstruction Conditions of Certification. AES completed all of the Conditions of Certification delineated with a "P" in the attached matrix. As a result of receiving approval from the CEC on May 23, 2001, to start construction, AES was in full compliance with each of these conditions. AES remains in compliance with each of these conditions.

4.0 CONSTRUCTION

As stated above, AES began construction on May 30, 2001. Substantial completion of construction of Unit 3 occurred on January 2002 and first fire occurred on January 9, 2002. Substantial construction completion of Unit 4 occurred in June 2002 and first fire occurred on June 28, 2003. Many of the CEC Conditions of Certification apply to the construction period (delineated as a "C" in the attached matrix). Prior to beginning commercial operation, AES had to receive approval from the CEC stating that all Construction Conditions of Certification were satisfactorily completed.

In addition to the CEC Conditions of Certification, the South Coast Air Quality Control District (SCAQMD) also had construction conditions. The SCAQMD conditions were primarily in regard to first fire and the continuous emission monitoring system requirements (CEMS).

There were a few Conditions of Certification which required additional review and approval by the CEC, City of Huntington Beach and SCAQMD, which were completed

after construction was completed, because of the amount of coordination required by all of the parties involved. These conditions are described in more detail below:

- **AQ-8 – Compliance with FDOC and PTC/POC permit conditions.** This CEC Condition of Certification requires AES remain in compliance with the SCAQMD's FDOC and PTC/POC permit conditions. It is worth providing some detail regarding a Notice of Violation (NOV), which AES received in 2004, regarding the installation of fire pumps in association with the Unit 3 and 4 Retool Project. AES, CEC and SCAQMD were in negotiations over for the past several months involving the best available control technology (BACT) for the fire pumps. The negotiations for BACT were recently resolved on February 8, 2006, which allowed AES to continue to operate the new fire pumps that were installed in July 2002. Therefore, AES remains in compliance with this Condition of Certification.
- **BIO-2 – Landscaping Plan/VIS-2 Visual Screening Plan.** As part of the Retool Project, AES agreed to develop a landscaping plan for the Generating Station. AES submitted the landscaping plan to the City of Huntington Beach, California Department of Fish and Game, and CEC on in 2001 and the plan was approved by all three agencies. AES recently completed the construction of the wall as part of the plan. The completion of the landscaping is pending the completion of the City of Huntington Beach's road widening project.
- **VIS-1 – Painting of Units 3 & 4.** As required in this Condition of Certification, AES is required to paint Units 3 and 4 with a "harmonizing color or colors with a low to medium gloss finish to blend with the surroundings". An amended treatment plan was approved by the CEC on March 29, 2004. AES is currently 100 percent complete with the painting Units 3 and 4. While not related to the compliance of Units 3 and 4, AES plans to paint Units 1 and 2 using the same colors as Units 3 and 4.

The CEC provided approval to start commercial operation on January 1, 2003 for Unit 3 and August 1, 2003 for Unit 4. As a result of this approval from the CEC, AES was in compliance with all construction-related Conditions of Certification.

5.0 COMMERCIAL OPERATION

Commercial operation of Unit 3 was designated on January 1, 2003 and August 7, 2003 for Unit 4. Since Unit 3 went commercial, AES has been submitting quarterly and annual compliance reports to both the CEC and the SCAQMD demonstrating compliance with all conditions associated with the Final Decision and air permit, respectively. As part of this CEC submittal, AES has included an updated compliance matrix (as attached), which shows the current compliance status for each Condition of Certification.

As with most industrial facilities, minor notices of violations (NOVs) can occur during operation. AES has received five NOVs from the SCAQMD since commercial operation began in January 2003. However, these NOVs have not been for the same permit

violation. These NOVs have either been settled or are no longer being pursued by the SCAQMD. AES remains in compliance with the air permit.

AES is also required to submit quarterly and annual compliance reports for the Station's National Pollution Discharge Elimination System (NPDES) permit. While this permit is not specific to the Unit 3 and 4 Retool Project, it is required in order for the full station to operate. AES remains in compliance with this permit.

6.0 MITIGATION FROM ENVIRONMENTAL STUDIES

As part of the Final Decision for the Retool Project, AES was required to participate in or study the potential environmental impacts of the Generating Station's existing cooling water system and implement the mitigation measures called for by both of these studies.

6.1 Impingement and Entrainment Study

AES developed a plan to study the impingement and entrainment from the Generating Station's intake structure and submitted the plan to the CEC on July 16, 2001. The Impingement and Entrainment Study was conducted by an independent party from July 2003 to August 2004 and submitted the Final Analysis in April 2005. The final mitigation has not been determined yet by the CEC and RWQCB.

In support of EPA's Phase II-316(b) Rule (40 CFR Part 125 Subpart J), a station specific Proposal for Information Collection (PIC) was submitted to the RWQCB August 1, 2005. The proposal is to use, with slight modification, the information gathered in the CEC Impingement and Entrainment Study. The PIC was approved on November 16, 2005. AES will submit the Comprehensive Demonstration Study (CDS) to fulfill permit application information requirements specified by the 316(b) Rule by January 1, 2007.

6.2 Stakeholder Group Ocean Pollution Study

AES began participating in the Stakeholder Group in 2002, to study ocean water intake and wastewater discharge impacts on the surf zone (near shore) water quality, including effects on levels of indicator bacteria and beach closures. The CEC commissioned the study in July 2002 to specifically investigate the impact of the AES HBGS on recent ocean postings and closures. The objective of the study was to assess whether the operation of the Generating Station was negatively impacting water quality in the surf zone in the vicinity of Huntington State and City Beaches. Based on the results collected in this study the following conclusions have been made:

- Sub-thermocline water is occasionally entrained into the AES HBGS intake.
- Concentrations of bacteria introduced to the AES HBGS from the ocean do not increase significantly in numbers during passage through the cooling water system prior to discharge.
- Land-based sources of bacteria (particularly Blackford's Ditch and boiler fireside wash) do enter the discharge vault and are discharged to the ocean, but not at

concentrations high enough to contribute significantly to bacterial contamination of the surf zone of Huntington State Beach.

- The sanitary sewers within the HBGS are not connected to, or leaking into the discharge vault.

Because of the microbial and oceanographic results presented in the study further investigation of the role of the AES HBGS facility in surf zone water quality of Huntington State and City Beaches is not recommended at this time.

7.0 COMPLETE DEMONSTRATION OF COMPLIANCE

As demonstrated above, AES has complied with all CEC Conditions of Certification as well as other permits required to operate the Generating Station. AES is in the process of implementing the mitigation measures identified in the two studies discussed above. AES request that based on the information presented here and in other compliance documents submitted to the CEC since commercial operation (quarterly and annual reports), that the CEC grant AES the approval to continue to operate Units 3 and 4 through September 30, 2011.

COMPLIANCE MATRIX

Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
EMER-2	This certification is granted by the Energy Commission for a limited period subject to an extension review by the Energy Commission as described below, conducted at the request of the project owner made no sooner than January 1, 2006 and no later than March 31, 2006. The project owner's request for extension review shall be accompanied by evidence from the project owner and others relevant to the findings set forth below. The energy commission shall approve the continuation of this certification if it finds that: 1) the project owner has substantially complied with the conditions of certification; 2) the project owner has mitigated or is mitigating the project's contribution to environmental impacts that are the subject of the studies required by the conditions of certification; and 3) all currently required permits (i.e., NPDES) are in force and the project owner is in substantial compliance with each permit. If the Energy Commission approves the continuation, this certification will expire on September 30, 2011. If the Energy commission does not request the continuation or the project owner does not request the continuation before April 1, 2006, this certification will expire on September 30, 2006.	**FS**	**On-going**	O	As per the July 11, 2001 hearing, condition EMER-1 was deleted and EMER-2 was modified as noted.
EMER-3	On or before June 30, 2004, AES shall submit to the Commission and the City of Huntington Beach a Master Development Plan setting forth its plans for the long-term use of the Huntington Beach Generating Station site beyond September 30, 2006, including but not limited to its plans for the operation, repowering, reconfiguration, closure, decommissioning, moth-balling, demolition, or dismantling of any operating unit then in place.	7/1/04	DONE	O	On or before June 30, 2004 AES shall submit to the Commission and the City of Huntington Beach a Master Development Plan.
AQ-C1	Prior to the commencement of project construction, the project owner shall prepare a construction Fugitive Dust Mitigation Plan that will specifically identify fugitive dust mitigation measures that will be employed for the construction of the HBGS Retool Project and related facilities. A.)The Construction Fugitive Dust Mitigation Plan shall specifically identify measures to limit fugitive dust emissions from construction of the project. Measures that shall be addressed include the following: *the identification of the employee parking area and surface of the parking area; *the frequency of watering of unpaved roads and disturbed areas; *the application of chemical dust suppressants; *the stabilization of storage piles and disturbed areas; *the use of gravel in high traffic areas; * the use of paved access aprons; *the use of posted speed limit signs; *the use of wheel washing areas prior to large trucks leaving the project site; and *the methods that will be used to clean mud and dirt tracked-out from the project site onto public roads. B.)The following measures should be addressed for the transportation of the any borrow fill materials to the HBGS Retool Project site and the transmission and natural gas line sites, if any, and the transportation of export soils and construction debris: *the use of covers on vehicles; *the wetting of the material; and *insuring appropriate freeboard of material in the vehicles.	4/13/2001	DONE	P	At least 5 days prior to the start of construction, the project owner shall provide the CPM with a copy of the Construction Fugitive Dust Mitigation Plan for approval. Construction shall not commence until CPM approval of the Plan.
AQ-C2	The project owner shall use exclusively 15 ppm sulfur content fuel (such as ECD-1 or equivalent) in all diesel off-road construction equipment.	DONE	DONE	C	The project owner shall submit to the CPM records of purchase of the diesel fuel that includes the sulfur content of that fuel as part of monthly compliance reports.
AQ-C3	The project owner shall use EPA certified 1996 low NOx emission construction equipment or demonstrate that its equipment complies with the EPA 1996 diesel engine emission standards. The project owner shall ensure that all heavy earthmoving equipment including, but not limited to, bulldozers, backhoes, compactors, loaders, motor graders and trenchers, and cranes, dump trucks and other heavy duty construction related trucks, have been properly maintained and the engines tuned to the engine manufacturer's specifications.	DONE	DONE	C	The project owner shall submit to the CPM, no later than 15 days after initiating construction, a written evaluation signed by a California registered professional engineer that demonstrates that all construction diesel engines comply with this requirement and if available copies of the EPA or CARB engine certifications.
AQ-C4	The project owner shall only use internal combustion powered generating equipment to provide electrical power for the Unit 3 and 4 construction activities during power outages.	DONE	DONE	C	The project owner shall maintain an operating log on all fuel-fired internal combustion engines that are used to supply electricity for the construction of Units 3 and 4. The operating log will identify at a minimum the dates and times of use and a daily record of equipment hour gauge data. A copy of this operating log will be provided
AQ-C5	The project owner shall provide to the CPM and the District, vendor and design data for the SCR and Oxidation catalyst systems, which will include performance guarantees that demonstrate that the systems have been designed to meet the NOx and CO emission concentration limits (5 ppm corrected to 3% O_2 for each pollutant) Additionally, the SCR vendor data shall include ammonia slip performance guarantees of 5 ppm corrected to 3% O_2.	6/11/2001	DONE	C	At least 30 days prior to the installation of the catalyst systems, the project owner shall provide the CPM and the District with a copy of the SCR and Oxidation catalyst systems vendor and design data for approval.

P = Pre-construction C = Construction O= Operations

FS = Future Submittal, **bold** indicates a change.

Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
AQ-1	Project owner shall operate the post-combustion emission control devices (SCR and Oxidation catalyst systems) at all times, except during start-up or breakdowns as defined by District Rule 430 and 2004, during boiler operation.	FS	DONE	O	Project owner shall provide operating interlocks, or other control systems, that require the emission control equipment to be in operation during normal operation. At least 15 days prior to the installation of the catalyst systems, the project owner shall provide the CPM documentation on the control systems, procedures, etc. that will be used to ensure proper control of equipment operation.
AQ-2	Project owner shall use only pipeline quality natural gas to fuel Units 3 and 4 and the total sulfur content of the fuel shall be limited to 0.25 grain/100scf, expressed as H2S.	**FS**	**ON GOING**	O	Project owner shall test on-site the total sulfur content of the fuel quarterly and shall provide the results of the tests, expressed as equivalent grains of H2S per 100 scf. to the CPM within 30 days of performing each test. **(See Attachment)**
AQ-3	Project owner shall source test Unit 5 for the following pollutants and exhaust parameters prior to September 1, 2001: Nitrogen Oxides (and NO to NO_2 ratio); Carbon Monoxide; Reactive Organic Gases; PM10; Exhaust Velocity; and Temperature. During this source test the project owner shall keep operating records, such as fuel flow, in order to determine appropriate emission factors for Unit 5.	Pending CEC	DONE	O	Project owner shall provide the CPM with the source test protocol and schedule for review 30 days prior to conducting the source test on Unit 5, and shall provide the source test report to the CPM within 30 days of performing the source test. Additionally, the project owner shall allow CEC staff, CEC contractors, or other regulatory agency staff access to the site to observe the Unit 5 source tests.
AQ-4	Through December 31, 2002, Units 3 and 4 shall not operate contemporaneously with Unit 5 unless the ISO has declared Stage 3 Electrical Emergency and the ISO has specifically called-up Unit **5** to avoid an imminent blackout. After December 31, 2002, operation of Huntington Beach Unit 5 shall cease. These requirements may be superseded by SCAQMD's adoption of emission controls by Best Available Retrofit Control Technology or other means applicable to Unit 5.	**FS**	**DONE**	O	Project owner shall maintain operating records that identify contemporaneous periods of operation for Units 3 and 4 and Unit 5 along with the ISO emergency declaration or other documentation that verifies compliance with this condition. This compliance documentation shall be submitted to the CPM on a quarterly basis. - **The Unit #5 Peaker unit has been decommissioned and the operating permit with the SCAQMD has been surrendered.**
AQ-5	Project owner shall investigate the feasibility of installing continuous emission monitors (CEMs) for ammonia on the stacks of Units 1 and 2 and Units 3 and 4 as a means of demonstrating compliance with required ammonia limits. If the use of an ammonia CEM system is found to be feasible and cost effective, it shall be installed and operating by the time Units 3 and 4 begin normal operation.	6/20/2001	DONE	O	Project owner shall provide to the CPM the ammonia CEM feasibility report 30 days prior to beginning the normal operation of Units 3 and 4. The feasibility report, at a minimum will identify the available ammonia monitoring systems, their technical specifications and detection ranges, costs; if necessary, any reasons why these systems are not technically feasibility for the HBGS; and if applicable the installation schedule and record keeping procedures for the ammonia CEMs that may be installed.
AQ-6	Initial commissioning of the Unit 3 and Unit 4 boilers shall not be performed concurrently , initial commissioning shall be limited to 48 hours for each boiler, and the input heat rate during initial commissioning of each boiler shall be limited to a total of 120 MMBtu/hr.	2/2002	DONE	O	Project owner shall provide to the CPM, within 15 days of initial commissioning, the hourly fuel flow data for the initial commissioning period of each boiler.
AQ-7	The Unit 3 and Unit 4 boilers shall not be operated in start-up mode concurrently, each start-up (not including initial commissioning) shall be limited to 12 hours for each boiler and the heat rate during initial commissioning of each boiler shall be limited to a total of 120 MMBtu/hr. until the SCR is operational.	**FS**	**ON GOING**	O	Project owner shall provide to the CPM quarterly records of the hourly fuel flow data and SCR operating data for the start-ups for each boiler. **(See Attachment)**
AQ-8	Project owner shall maintain compliance with the District's FDOC and PTC/PTO conditions, including all monitoring and record keeping provisions.	**FS**	**ON GOING**	O	Project owner shall provide to the CPM, on a quarterly basis within 30 days of the end of each quarter, a summary of the permit compliance status that, at a minimum, includes a summary of compliance with all District permit conditions and all CEC Air Quality Conditions of Certification, a listing and copies of notices of violation received from SCAQMD, ongoing status of any SCAQMD enforcement actions, and a listing of air quality related (i.e. odor, opacity, etc.) community complaints received by the project owner. **(See Attachment)**

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
AQ-9	Project owner shall maintain compliance with the District's source testing requirements.	**FS**	**ON GOING**	O	Project owner shall provide to the CPM copies of all District required source tests within 45 days of conducting those tests. **(See Attachment)**
AQ-10	Project owner shall maintain compliance with the District's continuous emissions monitoring system (CEMS) requirements, including all record keeping requirements.	**FS**	**ON GOING**	O	Project owner shall provide to the CPM, on a quarterly basis within 30 days of the end of each quarter, summaries of the CEMS data as required to be kept by District permit conditions, and as necessary to summarize data from CEMS that may be required by other CEC Conditions of Certification. **– Data for this section is included in the quarterly attachment for AQ-7**
AQ-11	Units 3 and 4 shall not be operated unless the project owner demonstrates that the facility holds sufficient RTCs to offset the prorated annual emissions increase for the first compliance year of operation. In addition, the equipment shall not be operated unless the project owner demonstrates that, at the commencement of each compliance year after the first compliance year of operation, the facility holds sufficient RTCs in an amount equal to the annual emissions increase.	**FS**	**ON GOING**	O	Project owner shall provide operating records, including fuel use data and total operating hours for Units 3 and 4 and Unit 5, to the CPM on a quarterly basis within 30 days of the end of each quarter. The project owner shall also provide to the District and the CPM a quarterly NOx emissions profile of the entire Huntington Beach Generating Station verifying that there are sufficient. **(See Attachment)**
BIO-1	Prior to operation of Units 3 and 4, project owner's Storm Water Pollution Prevention Plan shall be updated, and approved by the CEC CPM, to ensure that all berms and surface drainage installations are constructed, or existing features modified, to prevent any treated or untreated surface water runoff originating within or crossing the AES property from reaching the Huntington Beach wetlands.	SWPPP submitted 7/17/2001. Structural improvement plans submitted 9/10/01, surface drains rerouted in October 2001.	DONE	C	No less than 30 days after certification, the project owner shall submit to the CEC CPM and City of Huntington Beach a copy of the revised Stormwater Pollution Prevention Plan that specifies all modification to berm and surface drainage installations and any other related facilities necessary to prevent any treated or untreated surface water runoff originating within or crossing the AES HBGS property from reaching the Huntington Beach Wetlands. This plan must incorporate all requirements specified by the City of Huntington Beach for the protection of water quality contained in Municipal Code Title 14. The project owner shall submit to the CEC CPM verification from the City of Huntington Beach that the revised plan complies with all applicable local requirements. This condition is consistent with Soil & Water-1.
BIO-2	Project owner shall incorporate native plant species into the landscape at the property perimeter adjacent to the Huntington Beach Wetlands to prevent further degradation of the marsh habitat through the introduction of non-native plant species consistent with the City's General Plan Policy C7.2.4. Native plant species to be used must be compatible with the native species currently found in the Huntington Beach Wetlands.	**2/09/05**	**DONE**	C	Project owner shall provide a final Landscaping Plan to the CPM at least 30 days prior to the beginning of commercial operation. The final plan shall include a list of native species that will be immediately used for landscaping within the AES HBGS property when landscaping is implemented.
BIO-3	Project owner will prepare a monitoring/study plan and conduct one year of monitoring to determine the actual impingement and entrainment losses resulting from the operation of the cooling water system for the new Units 3 and 4 and the existing Units 1 and 2. The project owner will sample the intake and source water to determine fractional losses relative to their abundance in the source water.	**7/16/2001 Plan, 7/21/05 Report**	**Done**	O	Project owner will submit a draft study plan to the CEC CPM within 60 days of project certification for review and approval. Within 90 days of certification, an agency and CEC approved final study plan will be provided to the CEC CPM. The project owner will submit quarterly reports to the CPM during the study sampling period within 60 days following the completion date of that quarter of field sampling. The project owner will submit to the CEC CPM a draft report that discusses the results of the impingement, entrainment and source water sampling studies within six months of the end of field sampling, and a final report to the CEC CPM within nine months from the end of field sampling. **(See Attachment)**

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
BIO-4	Project owner will provide a check for $1,500,000 million to the Center For Natural Lands Management (Contact: Ms. Sherry Teresa, Executive Director, 425 E. Alvarado Street, Ste. H, Fallbrook, CA 92028-2960, (760)731-7790) to establish the Huntington Beach Generating Station Trust Account to be used to fund the project's impingement, entrainment, and source water sampling studies. The CEC will authorize the project owner's expenditures from the fund for the field study protocol development and implementation (impingement, entrainment and source water sampling), data analysis, draft and final report preparation, and implementation of mitigation measures.	6/21/2001	DONE	P	No later than 30 days prior to the start of commercial operation, the project owner will provide written confirmation to the CEC CPM that 1.) a check for $1,500,000 has been provided to the Center for Natural Lands Management and 2.) that the Huntington Beach Generating Station Trust Account has been established. Any unspent funds, plus all accumulated interest, will be returned to the project owner upon completion of the studies identified in BIO-3.
BIO-5	If entrainment and impingement study determines that significant impacts to one or more species of coastal fish is occurring, the project owner will provide mitigation/compensation funds for mitigation/compensation for impacts to Southern California Bight fish populations. Upon consultation with the project owner, the mitigation/compensation funds should be used for such things as tidal wetlands restoration, creation of artificial reefs, or some other form of habitat compensation that is sufficient to fully address the species impacts identified in the final report required by Condition of Certification BIO-3. The CEC CPM, in consultation with the project owner and state, federal and local resource agencies, will determine the amount and final application of the compensation funds. When appropriate mitigation is determined, the project owner will prepare and sign a Memorandum of Understanding (MOU) with the entity that will receive the compensation funds. The MOU will clearly identify acceptable uses of the funds, including an accounting of how the funds will be spent.	**FS**	**ON GOING**	C	The CPM will review the draft MOU to ensure the wording is clear, meets the terms of the mitigation, and that it is enforceable. The CPM will ensure the MOU is completed within 120 days of determination of the need for mitigation/compensation. The project owner will provide written verification to the CEC CPM that the mitigation/compensation funds have been paid within 30 days after signing the MOU for the disposition of required compensation funds.
BIO-6	Project owner shall conduct a study to determine if there is a feasible methodology that would reduce the number of fishes trapped in the intake forebay. If the study determines that a feasible method(s) exists to reduce the number of fishes trapped in the cooling water system the project owner shall implement those methods.	Study protocol submitted on 7/16/2001	ON GOING	C	Project owner will submit a draft study plan to the CEC CPM and resources agencies within 60 days of the date of certification for review and approval. CEC and resource agency staff will provide comments on the draft study plan, and within 90 days of project certification a CEC and resource agency approved final study plan will be provided to the CEC CPM. The project owner will submit an interim report on the progress of the study within 90 days following commencement of the study. Project owner will submit a draft report that discusses the results of the study within 45 days following completion of the study and will submit a final report within 3 months of completion of the study. If the study determines that a feasible method(s) exists to greatly reduce fish losses in the intake, the project owner will implement the selected methodology upon CEC Huntington Beach Generating Station Project long-term operation reassessment and/or NPDES permit renewal June 30, 2005, and provide verification to the CEC CPM that the agreed to improvements have been implemented.
CUL-1	Cultural resource specialist (CRS) shall be retained to conduct or supervise monitoring activities during ground disturbance that may exceed existing fill and in the vicinity of the selective catalytic reduction (SCR) unit. Prior to the start of ground disturbance (defined in general conditions), in areas where ground disturbance may exceed existing fill and in the vicinity of the SCR, the project owner shall provide the California Energy Commission Compliance Project Manager (CPM) with the name and statement of qualifications of its Cultural Resource Specialist (CRS), and an alternate CRS, if an alternate is proposed, who would be responsible for implementation of all cultural resources Conditions of Certification.	4/13/2001	DONE	C	At least 30 days prior to the start of ground disturbance that may exceed the level of fill and in the vicinity of the SCR, the project owner shall submit the name and statement of qualifications of its CRS and alternate CRS to the CPM for review and approval. At least 10 days, prior to the start of any ground disturbance that may exceed existing fill and ground disturbance in the vicinity of the SCR, the project owner shall confirm in writing to the CPM that the approved CRS will be available and is prepared to implement the cultural resource Conditions of Certification. At least 10 days prior to the termination or release of a CRS, the project owner shall obtain CPM approval of the replacement specialist by submitting to the CPM the name and a statement of qualifications of the proposed new CRS.
CUL-2	Prior to the start of ground disturbance, where ground disturbance may exceed existing fill and in the vicinity of the SCR, the project owner shall provide the CRS and the CPM with maps and/or drawings showing the footprint of the SCR and/or areas where disturbance may exceed existing fill. The project owner shall also provide a schedule of anticipated construction in the vicinity of the SCR and in areas where ground disturbance may exceed existing fill. If the footprint or construction schedule in any of these areas of ground disturbance changes, the project owner shall provide maps and/or drawings reflecting these changes, to the CRS within three days and to the CPM within 5 days.	4/18/2001	DONE	P	At least 10 days prior to the start of ground disturbance in the vicinity of the SCR or areas where ground disturbance may exceed existing fill, the project owner shall provide the CRS and the CPM with the maps and/or drawings and a construction schedule of these areas. Copies of maps, drawings or schedules reflecting changes shall be submitted to the CPM within five days of the changes.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
CUL-3	Prior to the start of ground disturbance, in the vicinity of the SCR and in areas where ground disturbance may exceed existing fill, the CRS shall prepare, and the project owner shall submit to the CPM for review and approval, a Cultural Resources Monitoring and Mitigation Plan (CRMMP), identifying general and specific measures to minimize potential impacts in the event of an unanticipated discovery. The CRMMP shall include the following elements and measures: A.) Identification of the person(s) expected to perform monitoring tasks (resumes); a description of each team member's qualifications and their responsibilities; B.) A discussion of the requirement that all cultural resources encountered will be recorded and mapped (may include photos) and that all significant or diagnostic resources will be collected for analysis and eventual curation into a public repository or museum. The public repository or museum must meet the standards and requirements for the curation of cultural resources set forth at Title 36 of Federal Code of Regulations, Part 79. C) A discussion of the availability and the designated specialist's access to equipment and supplies necessary for site mapping, photographing, and recovering any cultural resource materials encountered during construction.	5/11/2001	DONE	P	At least 15 days prior to the start of ground disturbance, in the vicinity of the SCR or in areas that may exceed existing fill, the project owner shall provide the CRMMP, prepared by the CRS, to the CPM for review and approval.
CUL-4	The CRS, alternate or the monitor(s) shall have the authority to halt or redirect construction if previously unknown cultural resource sites or materials are encountered. If such resources are found, the halting or redirection of construction shall remain in effect until: * The specialist has notified the CPM and the project owner of the find and the work stoppage; * The specialist, the project owner, and the CPM have conferred and determined what, if any, data recovery or other mitigation is needed; and * Any necessary data recovery and mitigation has been completed. The specialist, the project owner, and the CPM shall confer within five working days of notification of the CPM to determine what, if any, determination of significance, data recovery or other mitigation is needed. If data recovery or other mitigation measures are required, the specialist and team members shall monitor construction activities and implement data recovery and mitigation measures, as need. If unearthed cultural resources appear to be Native American in origin, a monitor who traces ancestry to the affected area shall be added to the cultural resource team. The Native American monitor shall be present during any monitoring of cultural resources that appear to be Native American in origin. All required data recovery and mitigation shall be completed expeditiously unless all parties agree to additional time. For any cultural resource encountered, the project owner shall notify the CPM within 24 hours after the find.	4/17/2001	DONE	C	At least 5 days prior to the start of ground disturbance, the project owner shall provide the CPM with a letter confirming that the CRS, alternate and monitor(s) have the authority to halt construction activities in the vicinity of a cultural resource find. Within 3 days of obtaining a Native American monitor, the project owner shall notify the CPM by letter that the monitor has been obtained.
CUL-5	Throughout monitoring and mitigation (if necessary), phases of the project, the CRS, alternate and monitor(s) shall keep a daily log of any resource finds and the progress or status of the resource monitoring, mitigation, preparation, identification, and analytical work being conducted for the project. The daily logs shall indicate where and when monitoring has taken place and where cultural resources were found. The CRS and monitor(s) may informally discuss the cultural resource monitoring and mitigation activities with Energy Commission technical staff.	6/11/2001	DONE	C	Throughout the monitoring activities and during any data recovery (if necessary), the project owner shall ensure that copies of the daily log are included in the monthly compliance report.
CUL-6	If cultural resources are discovered, the project owner shall ensure that the CRS performs the recovery, preparation for analysis, analysis, preparation for curation, and delivery for curation of all cultural resource materials encountered and collected during the monitoring, data recovery, mapping, and mitigation activities related to the project.	N/A	N/A	C	If cultural resources are discovered, the project owner shall maintain in its compliance files, copies of signed contracts or agreements with the museum(s), university(ies), or other appropriate research specialists. The project owner shall maintain these files for the life of the project and the files shall be kept available for periodic audit by the CPM. Information as to the specific location of sensitive cultural resource site shall be kept confidential and accessible only to qualified cultural resource specialists.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
CUL-7	The project owner shall ensure that the CRS prepares a Cultural Resources Report (CRR). The project owner shall submit the report to the CPM for review and approval. The CRR shall include (but not be limited to) the following: a.) For all projects: 1. Description of pre-project literature search, surveys, and any testing activities; 2. maps showing areas surveyed or tested; 3. description of any monitoring activities; 4. maps, including maps of any areas monitored; and 5. conclusions and recommendations. b.) For projects in which cultural resources were encountered, include the items specified under "a" and also provide: * site and isolate records and maps; * description of testing for, and determinations of, significance and potential eligibility; and * a discussion of the research questions answered or raised by the data from the project. c.) For projects regarding which cultural resources were recovered, include the items specified under "a" and "b" and also provide: * a description of the materials employed in the field and laboratory; a description (including drawings and/or photos) of recovered cultural materials; * results and findings of any special analyses conducted on recovered cultural resource materials; * an inventory cultural resource materials; and interpretation of the site(s) with regard to the research design; and * the name and location of the public repository receiving the recovered cultural resources for curation.	N/A	N/A	C	The project owner shall ensure that the CRS completes the CRR within 60 days following the monitoring activity and within 90 days following completion of the analysis of the recovered cultural materials, if cultural materials are discovered. Within seven days after completion of the report, the project owner shall submit the CRR to the CPM for review and approval.
CUL-8	Project owner shall submit an original, an original-quality copy, and a computer disc copy (or other format to meet repository's requirements), of the CPM-approved CRR to the public repository to receive the recovered data and materials for curation, with copies to the State Historic Preservation Officer (SHPO), the appropriate regional California Historical Resources Information System information center(s). If the report is submitted to any of these entities on a computer disc, the disc files must meet SHPO requirements for format and content. Protocol: The copies of the CRR to be sent to the entities specified above shall include the following (based on the applicable scenario [a,b, or c] set forth in condition (CUL-7): a.) originals or original-quality copies of all text; b.) originals of any topographic maps showing site and resource locations; c.) originals or original-quality copies of drawings of significant or diagnostic sultural resource materials found during pre-construction surveys or during project monitoring and mitigation and subjected to post-recovery analysis and evaluation. d.) photographs of any cultural resource site(s) and the various cultural resource materials recovered during project monitoring and mitigation and subjected to post-recovery analysis and evaluation. The project owner shall provide the curation repository with a set of negatives for all of the photographs.	N/A	N/A	C	Within 30 days after receiving approval of the CRR, the project owner shall provide to the CPM documentation that the report has been sent to the public repository receiving the recovered data and materials for curation, the SHPO and the regional California Historical Resources Information System information center(s). For the life of the project the project owner shall maintain in its compliance files copies of all documentation related to the filing of the CPM-approved CRR with the public repository receiving the recovered data and materials for curation.
CUL-9	If cultural resources are discovered, following the filing of the CPM-approved CRR with the appropriate entities, specified in condition CUL-8, the project owner shall ensure that all cultural resource materials, maps, and data collected during data recovery and mitigation for the project are delivered to a public repository that meets the US Secretary of Interior requirements for the curation of cultural resources. The project owner shall pay any fees for curation required by the repository.	N/A	N/A	C	If cultural resources are discovered, the project owner shall ensure that all recovered cultural resource materials are delivered for curation within 30 days after providing the CPM-approved CRR to the entities specifies in CUL-8. If cultural resources were discovered, the project owner shall provide a document that identifies the public institution and that discussed requirements, specifications or funding needed for the curation of the materials and how they will be met. Also the name and phone number of the contact person at the institution shall be provided. If the cultural resources were discovered, for the life of the project the project owner shall maintain in its compliance files, copies of signed contracts or agreements with the public repository to which the project owner has delivered for curation all cultural materials collected during data recovery and mitigation for the project.
HAZ-1	The project owner shall not use any hazardous material not listed, or in greater quantities than those identified by chemical name in Section 5.15.2.2 of the AFC dated December 2000 and the Applicant's data response of February 22, 2001 to Energy Commission's data request #35, unless approved in advance by the CPM.	**FS**	**ON GOING**	O	The project owner shall provide to the CPM, in the Annual Compliance Report, a list of hazardous materials contained at the facility in quantities that require disclosure under City of Huntington Beach Municipal Code, Chapter 17.58. **(See Attachment)**

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
HAZ-2	Project owner shall provide an updated Business Plan.	AES requests haz. mat. floor plan exercise with City on 6/10/2001. Business plan submitted on 6/28/2001. Haz floor plan exercise to be completed in Nov 2001	DONE	C	At least 45 days prior to the startup of the HBGS boiler/steam turbine Units 3 and 4, the owner shall undertake a hazardous materials floor plan exercise with the Huntington Beach Fire Department, and provide a copy of the revised Business Plan approved by the City of Huntington Beach Fire Department to the CPM.
HAZ-3	Project owner shall update the existing HBGS Safety Manual, Spill and Prevention Plan and Emergency Response Plan and facility standard operating procedures to accommodate the changes triggered by the HBGS. The project owner shall ensure that hydrazine is not unloaded using a forklift, that it is stored separately from oxidizers and acids, that a portable hydrazine vapor detector area will be used to sweep the storage area at the start and end of each shift, that the storage area is free of ignition sources and that the storage area is adequately ventilated, that hydrazine delivery is supervised and monitored by at least one facility staff person who shall stand by with a pressurized water has and that spill neutralization chemicals stored in close proximity to the unloading area, as a minimum.	6/21/2000 7/17/2001	DONE	C	At least 60 days prior to startup of Units 3 and 4, the project owner shall furnish an updated copy of the Safety Manual and the Emergency Response Plan, to the CPM for approval. Copies of the Plan and Manual shall also be furnished to the City of Huntington Beach Fire Department.
NOISE-1	At least 15 days prior to the start of project-related ground disturbing activities, the project owner shall notify all residents and business owners within one-half mile of the site, by mail or other effective means, of the commencement of project construction. At the same time, the project owner shall establish and disseminate a 24-hour "hotline" telephone number for use by the public to report any undesirable noise conditions associated with the construction of the project. This telephone number shall also be posted at the project site during construction in a manner visible to passersby. This telephone number shall be maintained until the project has been operational for at least one year. The project owner shall designate a noise monitoring officer for each construction shift. The noise monitoring officer shall be trained in the use of an audiometer and shall be empowered to halt any construction activities causing or likely to cause an exceedence of the Conditions of Certification herein. The noise monitoring officer shall carry a portable electronic device (such as telephone or pager) to receive any incoming "hotline" call. The noise monitoring officer shall log each construction noise complaint on a CPM-approved complaint form and attempt to resolve the complaint. For construction noise complaints received from 10 p.m. to 7 a.m., the noise monitoring officer shall take immediate steps to determine whether power plant construction is causing the noise and, if so, reduce the noise level of that activity as quickly as possible not to exceed one hour in order to comply with the Conditions of Certification for nighttime "quiet" construction. The noise monitoring officer, as appropriate, shall measure site fence-line noise levels to assure compliance. If the noise complaint is not resolved to the satisfaction of the complainant, the noise monitoring officer shall provide the Commission's toll free compliance telephone number (800-858-0784). In the event of construction noise complaints, either from a single affected residence or multiple residences, for two consecutive nights (10 p.m. to 7 a.m.), the project owner shall monitor noise levels from the receptor for no less than the following two nights. If noise levels exceed the Conditions of Certification, the project owner shall either offer off-site abatement mitigation at the affected residence or shall establish a program for temporary lodging for the occupants of such an affected residence.	DONE	ON GOING	P	The project owner shall transmit to the Energy Commission Compliance Project Manager (CPM) in the first Monthly Construction Report following the start of project-related ground disturbing activities, a statement, signed by the project manager, attesting that the above notification has been performed, and describing the method of that notification. This statement shall also attest that the telephone number has been established and posted at the site and that the noise compliance officers have been designated. Within 5 days of receiving a complaint for construction noise occurring between 7 a.m. to 8 p.m., the project owner shall file a copy of the Noise Complaint Resolution Form, or similar instrument approved by the CPM, with the City of Huntington Beach, and with the CPM, documenting the resolution of the complaint. If mitigation is required to resolve a complaint, and the complaint is not resolved within a 3-day period, the project owner shall submit an updated Noise Complaint Resolution Form when the mitigation is finally implemented. Within 24 hours of receiving a complaint for construction noise occurring between 10 p.m. and 7 a.m., the project owner shall file a copy of the Noise Complaint Resolution Form, or similar instrument approved

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
NOISE-2	Throughout the operation of the project, the project owner shall document, investigate, evaluate, and attempt to resolve all project-related noise complaints. The project owner or authorized agent shall: * if the telephone is not staffed 24 hours per day, the project owner shall include an automatic answering feature, with date and time stamp recording, to answer calls when the phone is unattended; *use the Noise Complaint Resolution Form, or functionally equivalent procedure acceptable to the CPM, to document and respond to each noise complaint; * attempt to contact the person making the noise complaint within 24 hours; * conduct an investigation to determine the source of noise related to the complaint; * if noise is project related, take all feasible measures to reduce the noise at its source; and * submit a report documenting the complaint and the actions taken. The report shall include: a complaint summary, including final results of noise reduction efforts; and if obtainable, a signed statement by the complaint stating that noise problem is resolved to the complainant's satisfaction.	DONE	**ON GOING**	O	Within 5 days of receiving a noise complaint, the project owner shall file a copy of the Noise Complaint Resolution Form, or similar instrument approved by the CPM, with the City of Huntington Beach, and with the CPM, documenting the resolution of the complaint. If mitigation is required to resolve a complaint, and the complaint is not resolved within a 3-day period, the project owner shall submit an updated Noise Complaint Resolution Form when the mitigation is finally implemented. **(See Attachment)**
NOISE-3	If a traditional, high-pressure steam blow process is employed, the project owner shall equip steam blow piping with a temporary silencer that quiets the noise of steam blows to no greater than 85 dBA measured at a distance of 200 feet. The project owner shall conduct steam blows only during the hours of 9 a.m. to 5 p.m., unless the CPM agrees to longer hours based on a demonstration by the project owner that offsite noise impacts will not cause annoyance. If a low-pressure continuous steam blow process is employed, the project owner shall submit a description of this process, with expected noise levels and projected hours of execution, to the CPM, who shall review the proposal with the noise levels and projected hours of execution, to the CPM, who shall review the proposal with the objective of ensuring that the resulting noise levels and impacts are consistent with the above noise standards and hours of operation. If the low-pressure process is pproved by the CPM, the project owner shall implement it in accordance with the requirements of the CPM.	DONE	DONE	O	At least 15 days prior to the first high-pressure steam blow, the project owner shall submit to the CPM drawings or other information describing the temporary steam blow silencer and the noise levels expected, and a description of the steam blow schedule. At least 15 days prior to any low-pressure continuous steam blow, the project owner shall submit to the CPM drawings or other information describing the process, including the noise levels expected and the projected time schedule for execution of the process.
NOISE-4	At least 15 days prior to the first steam blow(s), the project owner shall notify all residents or business owners within one mile of the site of the planned steam blow activity, and shall make the notification available to other area residents in an appropriate manner. The notification shall include a description of the purpose and nature of the steam blow(s), the proposed schedule, the expected sound levels, and the explanation that it is a one-time operation and not a part of normal plant operations.	4/27/2001 8/2001	DONE	O	Within five (5) days of notifying these entities, the project owner shall send a letter to the CPM confirming that they have been notified of the planned steam blow activities, including a description of the method(s) of that notification.
NOISE-5	Prior to initiating construction, the project owner will conduct a 25-hour community noise survey, at the closest residential receptor (applicant's ML2 location). In addition, the applicant shall conduct three one-hour noise measurements during day, evening, and nighttime hours in the vicinity of Magnolia Street, approximately halfway between Hamilton and Banning Avenues (ML5). The project design and implementation shall include noise mitigation measures adequate to ensure that the project operations will not cause noise levels to exceed the noise standards of the City of Huntington Beach Municipal Code, or to exceed the ambient background noise level (L_{90}) at residential receivers by more than 5 dBA. On-site noise reduction shall be the primary noise mitigation method. If off-site mitigation is additionally required, such as the proposed noise barrier (wall) at the perimeter of the Huntington By The Sea Mobil and RV Resorts, implementation will be subject to the approval of the landowner. Within 30 days of the project first achieving a sustained output of 80 percent or greater of rated capacity, the project owner shall conduct three one-hour noise measurements during day, evening and nighttime hours at sites ML3, ML4 and ML5. In addition, the applicant shall conduct an additional 25- hour community noise survey at ML2. The survey during power plant operations shall also include measurement of one-third octave band sound pressure levels to ensure that no new pure-tone noise components have been introduced. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints. Steam relief valves shall be adequately muffled to preclude noise that draws legitimate complaints, and to ensure compliance with the Huntington Beach Municipal Code. If the results from the two noise surveys (pre-construction vs. operations) indicate that the background noise levels (L_{90}) at any of the noise sensitive receptors (ML2, ML3, ML4 or ML5) have increased by more than 5 dBA for any given hour during the measurement period, or if the measured noise levels exceed the standards of the City of Huntington Beach Municipal Code, additional mitigation measures shall be implemented to reduce noise to a level of compliance with this limit.	5/9/2001	DONE	P	Within 15 days after completing the survey, the project owner shall submit a summary report of the survey to the City of Huntington Beach and to the CPM. Included in the report will be a description of any additional mitigation measures necessary to achieve compliance with the above listed noise limits, and a schedule, subject to CPM approval, for implementing these measures. Within 15 days of completion of installation of these measures, the project owner shall submit to the CPM a summary report of a new noise survey, performed as described above and showing compliance with this condition.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
NOISE-6	Heavy equipment and noisy construction work shall be restricted to the times : Any day 7 a.m. to 8 p.m., Noise due to start-up steam blows shall be restricted to the times of day: Any day 9 a.m. to 5 p.m., All other construction shall be limited to 20 hours per 24-hour day (6:00 a.m. to 2:00 a.m.), except that the noise levels due to such work that occur outside the hours of 7 a.m. to 8 p.m. shall not exceed the ambient background noise levels (L_{90}) at residential receivers by more than 5 dBA.	DONE	DONE	C	The project owner shall transmit to the CPM in the first Monthly Compliance Report a statement acknowledging that the above restrictions will be observed throughout the construction of the project.
SOCIO-1	Not less than 35% of the labor used during construction related to the retooling project shall be drawn from the local labor force contained within Orange and Los Angeles Counties. At least 50% of the labor force used during construction shall consist of California residents.	DONE	DONE	C	At least thirty (30) days prior to the start of construction activities, the project owner shall submit to the Energy Commission Compliance Project Manager (CPM) copies of guidelines stating hiring requirements and procedures. The project owner shall retain copies of all contractor and subcontractor contracts onsite for CPM inspection.
TRANS-1	Project owner shall comply with Caltrans and the City of Huntington Beach on limitations on vehicle sizes and weights. In addition, the project owner or its contractor shall obtain necessary transportation permits from Caltrans and all relevant jurisdictions for roadway use.	DONE	DONE	C	In the Monthly Compliance Reports, the project owner shall submit copies of any oversize and overweight transportation permits received during that reporting period. In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six months after the start of commercial operation.
TRANS-2	The project owner or its contractor shall comply with Caltrans and City of Huntington Beach limitations for encroachment into public rights-of-way and shall obtain necessary encroachment permits from all relevant jurisdictions.	N/A	DONE	C	In Monthly Compliance Reports, the project owner shall submit copies of any encroachment permits received during the reporting period. In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six months after the start of commercial operation.
TRANS-3	Project owner shall ensure that permits and/or licenses are secured from the California Highway Patrol and Caltrans for the transport of hazardous materials and all regulations for the transport of hazardous materials are observed.	7/02/01 7/17/01	DONE	C	The project owner shall include in its Monthly Compliance Reports, copies of all permits/licenses acquired by the project owner and/or subcontractors concerning the transport of hazardous substances. The project owner shall maintain copies of these permits at the project site for inspection by the CPM.
TRANS-5	Following completion of HBGSR project construction, the project owner shall repair any damage to Newland Street north of State Highway 1 (Pacific Coast Highway) to the Main Gate entrance to the Huntington Beach Generating Station incurred during construction to the road's pre-project construction condition. Protocol: Prior to start of construction, the project owner shall photograph, videotape or digitally record images of Newland Street from State Highway 1 to the HBGSR Main Gate entrance (project entrance). The project owner shall provide the Compliance Project Manager (CPM), the City of Huntington Beach and Caltrans (as necessary) with a copy of these images. Prior to start of construction, the project owner shall also notify the City of Huntington Beach and Caltrans about the schedule for project construction. The purpose of this notification is to postpone any planned roadway resurfacing and/or improvement projects until after project construction has taken place and to coordinate construction related activities associated with other projects.	4/30/2001	DONE	C	Within 30 days after completion of the retool project construction, the project owner shall meet with the CPM, the City of Huntington Beach and Caltrans (as needed) to determine and receive approval for the actions necessary and schedule to complete the repair of identified sections of public roadways to original or as near original condition as possible. Following completion of any regional road improvements, the project owner shall provide to the CPM a letter from the City of Huntington Beach and Caltrans if work occurred within their jurisdictional public right of way stating their satisfaction with the road improvements.
TRANS-5	The project owner shall develop a Transportation Management Plan which shall include a construction traffic and transportation demand implementation program that limits construction-period truck and commute traffic during peak periods in coordination with the City of Huntington Beach and Caltrans subject to the satisfaction of the CPM.	5/11/2001	DONE	C	Prior to site preparation or earth moving activity, the project owner shall provide the Transportation Management Plan to the City of Huntington Beach and Caltrans for review and comment and, after receipt of comments, to the CPM for review and approval.

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TRANS-6	The project owner shall submit an interim parking and building materials storage plan to the City of Huntington Beach Planning Department so as to assure adequate parking and restroom facilities are available for employees, customers and contractors during the project's construction phase and that adjacent properties will not be affected by the location of parking and restroom facilities. If adequate parking for construction employees cannot be provided on-site, sufficient off-site parking arrangements with shuttle transportation to and from the site shall be arranged. No off-site parking shall affect or use designated beach parking facilities unless permitted by the State of California Department of Parks and Recreation, Orange Coast District.	4/26/2001	DONE	C	Prior to the start of construction, the project owner shall submit a parking and staging plan for all phases of project construction to the City of Huntington Beach Planning Department for review and after City review to the CPM for approval.
TRANS-7	The project owner shall pay a Fair Share Traffic Impact Mitigation Fee paid to the City of Huntington Beach in accordance to Chapter 17.65 of the City's Municipal Code for the generation of the net additional vehicle trips on City streets cause by the ten (10) new permanent employees to be hired as a result of the retool project.	DONE	DONE	C	Prior to start of construction, the project owner shall submit to the CPM a copy of the receipt issued by the City of Huntington Beach demonstrating payment of the Traffic Mitigation Fee.
TRANS-8	During construction and project operation delivery trucks shall be limited to travel on State Highway 39, State Highway 1 and Newland Street. Truck traffic shall be limited on Newland Street between State Highway 1 and the Main Gate Entrance of the Huntington Beach Generation Facility.	DONE	DONE	C, O	The project owner shall include this specific route in its contracts for truck deliveries and maintain copies onsite or inspection by the CPM.
VIS-1	At the earliest feasible time after start of commercial operation, the Project owner shall paint or treat Units 3 & 4 structures visible to the public in a harmonizing color or colors with a low to medium gloss finish to blend with the surroundings. The project owner shall submit a treatment plan for the project to the City of Huntington Beach for review and comment, and to the California Energy Commission Compliance Project Manager (CPM) for review and approval. The treatment plan shall include: 1.) specification, and 11" x 17" color simulations at life-size scale, of the treatment proposed for use on project structures, including structures treated during manufacture; 2.) a detailed schedule for completion of the treatment; and 3.) a procedure to ensure proper treatment maintenance for the life of the project. For any structures that are treated during manufacture, the project owner shall not specify the treatment of such structures to the vendors, and shall not perform the final treatment on any structures on site until the project owner receives notification of approval of the treatment plan by the CPM.	**FS**	**ON GOING**	O	Not later than 30 days prior to ordering the first structures that are color treated during manufacture, the project owner shall submit the treatment plan to the CPM for review and approval. If the CPM notifies the project owner of any revisions that are needed before the CPM will approve the plan, within 15 days of receiving that notification the project owner shall submit to the CPM a revised plan. Not later than 30 days after the start of commercial operation, the project owner shall notify the CPM that all treated structures are ready for inspection. The project owner shall provide a status report regarding treatment maintenance in the Annual Compliance Report. **(Units 3 & 4 are 100% completed. When finished, we will precede to Units 1 & 2)**

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
VIS-2	Prior to start of commercial operation the project owner shall prepare a visual screening plan. The project owner shall implement the screening plan at the earliest feasible time but no later than one year after operation. The screening shall, at a minimum, include landscaping surrounding the site on the north west and southwest boundaries of the project site and on the southeast boundary if acceptable to the California Department of Fish and Game. Final plant selection shall be made in consultation with the CPM and the City of Huntington Beach and be designed to provide the maximum amount of feasible screening in the shortest feasible period of time. Planting shall be installed at a minimum height of 24" box size at the time of planting, and designed to achieve at least 40 feet in height at maturity. Suitable irrigation shall be installed to ensure survival and desired rate of growth. The landscape screening and irrigation system shall be monitored for a period of five years to ensure survival. During this period all dead plant material shall be replaced. Prior to start of commercial operation, the project owner shall submit a landscape screening plan to the City of Huntington Beach and State Department of Fish and Game for review and comment, and to the CPM for review and approval. The plan shall include, but not be limited to: * A detailed landscape, grading and irrigation plan, at a reasonable scale, which includes a list of proposed tree and shrub species and installation sizes, and a discussion of the suitability of the plants for the site conditions and mitigation objectives. A list of potential tree species which would be viable in this location shall be prepared by a qualified professional arborist familiar with local growing conditions, with the objective of providing the widest possible range of species form which to choose. The plan shall demonstrate how the screening conditions called for above shall be met, including evidence provided by a qualified professional arborist that the species selected is both viable and available. * Elevation views or visual simulations of the landscape screening at installation; at 5 years; growth after installation of the landscaping form the time of startup of operation of the facility; and at maturity, in order to show the extent of screening that the landscaping is expected to achieve in these time frames. * Maintenance procedures, including any needed irrigation and a plan for routine annual or semi-annual debris removal; and * A procedure for monitoring for and replacement of unsuccessful plantings. If upon review of elevation views or simulations of the landscape screening, landscaping measures alone are found infeasible or fail to achieve adequate visual screening, the CPM will direct the applicant to submit a new screening plan for review and approval. The new screening plan may include alternative landscape concepts or a combination of architectural screening and landscape improvements that would enhance the visual quality of the power station, such as light-weight mesh screening on the power block superstructure or other, similar measures consistent with structural, safety, and ventilation requirements. However, intensified landscaping would remain the preferred approach. The applicant shall consult with a qualified artist, designer, and/or architect to evaluate, recommend, and implement such screening measures. Upon approval by the CPM, with input from the City of Huntington Beach, the project owner shall be required to implement the new screening plan. The project owner shall not implement the plan until the project owner receives approval of the plan from the CPM.	6/19/2001	ON GOING	P	At least 60 days prior to start of commercial operation, the project owner shall submit the landscape plan to the City of Huntington Beach and the State Department of Fish and Game for comment, and the CPM for review and approval. If the CPM notifies the project owner that revisions of the submittal are needed before the CPM will approve the submittal, within 30 days of receiving that notification, the project owner shall prepare and submit to the CPM a revised submittal as described. The project owner shall notify the CPM within seven days after completing installation of landscaping that the planting and irrigation system are ready for inspection and, if architectural screening has been required, within seven days of completion of installation. The project owner shall report landscape maintenance activities, including replacement of dead vegetation, for the previous year of operation in the Annual Compliance Report. **(See 5-year Compliance review)**
VIS-3	Twelve months prior to the end of term of this certification, the project owner shall submit a facility closure plan for dismantling of Units 3 and 4, if an AFC for continued operation has not been filed with the commission. At a minimum the facilify closure plan shall include dismantling of the stack, power block, and any outdated technology. Upon approval of the facility closure plan, the project owner shall dismantle the plant according to the approved plan.	FS	ON GOING	O	The project owner shall submit the facility closure plan to the CPM for review and approval at the time required above, if an application for continued operation of Units 3 and 4 has not been filed with the commission.
VIS-4	The project owner shall design and install all new, and modify existing, project lighting to minimize potential night lighting impacts, as follows: a.) All lighting shall be of minimum necessary brightness consistent with operational safety. B.) All lighting shall be shielded and directed downward to prevent all uplighting and all direct light trespass (direct lighting extending outside the boundaries of the facility). c.) Wherever feasible and safe, lighting shall be kept off when not in use and motion detectors employed. d.) A lighting complaint resolution form (following the general format of that in Attachment 1) shall be maintained by plant operations, to record all lighting complaints received and to document the resolution of that complaint. e.) Consistent with construction personnel safety, all construction lighting will be completely shielded or screened so as not to be visible to residents of the adjacent trailer park across Newland Street, and to viewers on Pacific Coast Highway and at Huntington State Beach. 2.) The project owner shall develop a lighting plan for the project incorporating the above measures and submit it to the CPM for review and approval.	5/4/2001	DONE	O	At least 60 days before ordering the exterior lighting, the project owner shall provide the lighting plan to the CPM for review and approval. If the CPM notifies the project owner that any revisions of the plan are needed before the CPM will approve the plan, within 30 days of receiving that notification the project owner shall submit to the CPM a revised plan. The project owner shall notify the CPM within 7 days of completing exterior lighting installation and modification that the lighting is ready for inspection. The project owner shall report any lighting complaints and documentation of resolution in the Annual Compliance Report, accompanied by any lighting complaint resolution forms for that year.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
WASTE-1	Whenever aware of any impending waste management-related enforcement action, the project owner shall notify the CPM of any such action whether it is to be taken against the project owner, the waste transporter under contract, or the disposal or treatment facility to be used.	N/A	N/A	O	The project owner shall notify the CPM in writing within 10 days of becoming aware of an impending enforcement action.
WASTE-2	Prior to the start of both construction and operation, the project owner shall prepare and submit to the CPM, for review and comment, a waste management plan with respect to all wastes generated during construction and operation of the facility, respectively. The plans shall contain, at a minimum, the following: *A description of all waste streams, including projections of frequency, amounts generated and hazard classifications; * Methods of managing each waste, including treatment methods and companies contracted with for treatment services, waste testing methods to assure correct classification, methods of transportation, disposal requirements and sites, and recycling and waste minimization/reduction plans; * Provisions for personnel training and emergency procedures in response to the accidental release of hazardous wastes.	Construction waste mgmt plan submitted on 4/13/2001. Operations waste mgmt plan submitted on 7/27/2001. Revised operations waste mgmt plan submitted on 8/17/2001.	DONE	P	No less than 20 days prior to the start of construction, the project owner shall submit the construction waste management plan to the CPM for review. The operations-related waste management plan shall be submitted no less than 20 days prior to the start of operation. The project owner shall submit any required revisions within 10 days of notification by the CPM (or on a mutually agreed upon date). In the Annual Compliance Reports, the project owner shall document the actual waste management methods used during the year compared to planned management methods.
WASTE-3	Project owner shall have an environmental professional available for consultation during soil excavation and grading activities. The environmental professional shall be given full authority to oversee any earth moving activities that have the potential to disturb contaminated soil. The environmental professional shall meet the qualifications of such as defined by the American Society for Testing and Materials designation E 1527-97 Standard Practice for Phase I Environmental Site Assessments as evidenced by one of the following or similar credentials: (1) Certified Industrial Hygienist with experience in worker exposure monitoring, (2) Qualified Environmental Professional certification, (3) Registered Environmental Assessor II, or (4) Registered Professional Engineer or Geologist with experience in remedial investigation and feasibility studies.	4/13/2001	DONE	C	At least 20 days prior to the start of construction, the project owner shall submit the qualifications and experience of the environmental professional to the CPM for approval.
WASTE-4	If potentially contaminated soil is unearthed during excavation at either proposed site or linear facilities as evidenced by discoloration, odor, detection by handheld instruments, or other signs, the environmental professional shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and file a written report to the project owner and CPM stating the recommended course of action. Depending on the nature and extent of contamination, the environmental professional shall have the authority to temporarily suspend construction activity at that location for the protection of workers or the public. If, in the opinion of the environmental professional, significant remediation may be required, the project owner shall contact representatives of the Orange County Environmental Health Division and the Long Beach Regional Office of the California Department of Toxic Substances Control for guidance and possible oversight.	N/A	DONE	C	The project owner shall submit any reports filed by the environmental professional to the CPM within 5 days of their receipt.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
WQ-1	Prior to operation of Units 3 and 4, the project owner will update and implement the HBGS Stormwater Pollution Prevention Plan, Spill Prevention Control and Counter Measure Plan based on recommendations by the City of Huntington Beach to comply with all requirements of federal, state and local agencies as specified in NPDES No. CA0001163, Order No. 00-5, including Municipal Code Title 14 requirements for the protection of water quality. The applicant will work in cooperation with the City of Huntington Beach to determine what changes are necessary to bring the facility in compliance with local requirements. No stormwater runoff or industrial waste discharge from HBGS is to be discharged to surrounding wetlands or sensitive habitat. All recommended improvements and maintenance specified by the City of Huntington Beach will be implemented by the project owner prior to operation of Units 3 and 4 and during the units operation. All structural improvements and or modifications must be completed by the beginning of the rainy season, November 1, 2001. Immediately following certification by the Energy Commission, the project owner will submit the HBGS Stormwater Pollution Prevention Plan and Spill Prevention Control and countermeasure Plan to the City of Huntington Beach for their review and determination of compliance with the City's Municipal Code Title 14.	7/17/2001 Stormwater structural improvement plans submitted 9/10/01, structural improve-ments completed in Oct. 2001.	DONE	C	No less than 30 days after certification, the project owner will submit to the CEC CPM and City of Huntington Beach a copy of the revised plans and **Verification** from the City of Huntington Beach that the revised plans comply with all applicable local requirements and obtain CEC CPM approval for the revised plans prior to operation of Units 3 and 4. All structural improvements and or modifications specified in the revised plans must be completed by the beginning of the rainy season, November 1, 2001.
WQ-2	Prior to commercial operation of Units 3 and 4, the project owner shall execute water service agreement with the City of Huntington Beach's Water Department that reflects all terms and conditions of municipal water service. As required by the City, the project owner will conduct or cause to occur supply and reservoir studies required to verify or identify if any upgrades or modifications to the existing system are necessary to serve HBGS. The project owner will fund all capital and administrative costs associated with the planning, design and building of upgrades or improvements to the City's existing system necessary to service any increased demands of HBGS, including those incurred by the City. Prior to commercial operation of Units 3 and 4, all specified upgrades or modifications identified in this study will be implemented. The project owner will submit a copy of the water service agreement to the CEC CPM and include details of the City's recommended upgrades or modifications required, costs, schedule for the implementation of these improvements, and any mitigation necessary to address impacts associated with these upgrades or modifications.	8/2001	DONE	C	Within 30 days of Commission certification, the project owner will submit copies of the executed water service agreement, and the results of the approved supply and reservoir studies to the CEC CPM. Prior to commercial operation of Units 3 & 4, the project owner will submit verification from the City of Huntington Beach that all necessary upgrades or modifications have been completed as specified in the studies.
WQ-3	Project owner will participate in the Stakeholder Group to study ocean water intake and waste water discharge impacts on the surf zone water quality, including effects on levels of indicator bacteria and beach closures. The project owner will fund all costs associated with the study(s) undertaken to determine if the HBGS is contributing to the surf zone water quality problems, and implement solutions recommended by study results, as determined by the Energy Commission staff in consultation with the Stakeholder Group. These mitigation measures will be implemented by the project owner within a schedule defined by the Energy Commission Staff, in consultation with the Stakeholders Group, no later than the HBGS NPDES permit renewal on June 30, 2005, or CEC re-certification (whichever comes sooner). This condition does not intend to require the project owner to conduct duplicative studies. The project owner may cost-share on any study(ies) undertaken, as appropriate.	**Komex Final Draft 8/4/03**	**DONE**	O	Within 30 days after the final approval of the final monitoring and study plan by the CEC Water Resources Technical Staff and CPM, the project owner will submit a recommended schedule for the completion of all required mitigating measures to the CEC CPM for review and approval. The project owner shall provide a letter of verification to the CEC CPM that these methods have been implemented or completed within 15 days after their implementation or completion but no later than the HBGS NPDES permit renewal on June 30, 2005, or CEC Re-certification whichever is sooner.
WQ-4	The project owner will provide a check for $1 million to the Center For Natural Lands Management (contact: Ms. Sherry Teresa, Executive Director, 425 E. Alvarado St., Ste H, Fallbrook, CA 92028-2960) to establish the HBGS Water Quality Trust Account to administer and conduct the approved study(s) specified in Soil & Water 3 above. All payments from the trust account must be authorized by the CEC CPM. The $1 million is for development of study need and protocol, Technical Advisory Group (TAG), and to conduct the study(s). Unspent funds and interest will be returned to the project owner or additional funds maybe required. Any required mitigation that is a result of the HBGS will be paid for by the project owner and be in addition to funds ($1 Million) discussed here.	6/21/2001	DONE	C	No later than 30 days prior to commercial operation of Units 3 & 4, the project owner will provide written verification from the Center for Natural Lands Management to the CEC CPM that 1) a check for $1 million was provided to the Center and 2) The HBGS Water Quality Trust Account was established.
WQ-5	Secondary containment will be designed and operated for the urea reactor tank to hold 110 percent of the capacity of the largest tank plus the freeboard precipitation of a 24 hour, 25-year storm event or other specified storm event standard appropriate for this site.	10/21/01	DONE	C	No more than two weeks after the installment of the urea tank reactor, the applicant will provide verification from the Santa Ana RWQCB that required secondary containment is installed and operational.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
GEN-1	With respect to new construction, the project owner shall design, construct and inspect the project in accordance with the 1998 California Building Code (CBC) and all other applicable LORS in effect at the time initial design plans are submitted to the CBO for review and approval. The CBC in effect is that edition that has been adopted by the California Building Standards Commission and published at least 180 days previously. All transmission facilities (lines, switchyards, switching stations, and substations) are handled in Conditions of Certification TSE-1, TSE-2 and TSE-3 in TRANSMISSION SYSTEM ENGINEERING. Protocol: In the event that the AES is submitted to the CBO when a successor to the 1998 CBC is in effect, the 1998 CBC provisions identified herein shall be replaced with the applicable successor provisions. Where, in any specific case, different sections of the code specify different materials, methods of construction, or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.	FS	DONE	C	Within 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) after receipt of the Certificate of Occupancy, the project owner shall submit to the California Energy Commission Compliance Project Manager (CPM) a statement of verification, signed by the responsible designer engineer, attesting that all designs, construction, installation and inspection requirements of the applicable LORS and the Energy Commission's Decision have been met in the area of facility design. The project owner shall provide the CPM copy of the Certificate of Occupancy within 30 days of receipt from the CBO [1998 CBC, Section 109 - Certificate of Occupancy.]
GEN-2	Project owner shall furnish to the CPM and to the CBO a schedule of facility design, a Master Drawing List, and Master Specifications List. The schedule shall contain a description of, and a list of proposed submittal packages for design, calculations, and specifications for major structures and equipment. To facilitate audits by Energy Commission staff, the project owner shall provide designated packages to the CPM when requested.	5/15/2001	DONE	P	At least 15 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of rough grading, the project owner shall submit the schedule, a Master Drawing List, and a Master Specifications List to the CBO and to the CPM. The project owner shall provide updates in the Monthly Compliance Report.
GEN-3	Project owner shall make payments to the CBO for design review, plan check and construction inspection, equivalent to the fees listed in the 1998 CBC, Chapter 1, Section 107 and Table 1-A, Building Permit Fees; Appendix Chapter 33, Section 3310 and Table A-33-A, Grading Plan Review Fees; and Table A-33-B, Grading Permit Fees. If the CBO has adjusted the CBC fees for design review, plan check and construction inspection, the project owner shall pay the adjusted fees.	2/1/02	DONE	C	The project owner shall make the required payments to the CBO at the time of submittal of the plans, design calculations, specifications, or soil reports. The project owner shall send a copy of the CBO's receipt of payment to the CPM in the next Monthly Compliance Report indicating that the applicable fees have been paid.
GEN-4	Prior to the start of rough grading, the project owner shall assign a California registered architect, structural engineer or civil engineer, as a resident engineer (RE), to be in general responsible charge of the project [Building Standards Administrative Code (Cal. Code Regs., tit. 24, & 4-209, Designation of Responsibilities).]. All transmission facilities (lines, switchyards, switching stations, and substations) are handled in Conditions of Certification TSE-1, TSE-2 and TSE-3 in TRANSMISSION SYSTEM ENGINEERING. The RE may delegate responsibility for portions of the project to other registered engineers. Registered mechanical and electrical engineers may be delegated responsibility for mechanical and electrical portions of the project respectively. A project may be divided into parts, provided each part is clearly defines as a distinct unit. Separate assignment of general responsible charge may be made for each designated part. The RE shall: *Monitor construction progress to ensure compliance with LORS; *Ensure that construction of all the facilities conforms in every material respect to the applicable LORS, these Conditions of Certification, approved plans, and specifications; *Prepare documents to initiate changes in the approved drawings and specifications when directed by the project owner or as required by conditions on the project; *Be responsible for providing the project inspectors and testing agency(ies) with complete and up-to-date set(s) of stamped drawings, plans, specifications and any other required documents; *Be responsible for the timely submittal of construction progress reports to the CBO from the project inspectors, the contractor, and other engineers who have been delegated responsibility for portions of the project; and *Be responsible for notifying the CBO of corrective action or the disposition of items noted on laboratory reports or other tests as not conforming to the approved plans and specifications. The RE shall have the authority to halt construction and to require changes or remedial work, if the work does not conform to applicable requirements. If the RE or the delegated engineers are reassigned or replaced, the project owner shall submit the name, qualifications and registrations number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer.	5/15/2001	DONE	P	At least 15 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, the name, qualifications and registration number of the RE and any other delegated engineers assigned to the project. The project owner shall notify the CPM of the CBO's approvals of the RE and other delegated engineer(s) within five days of the approval. If the RE or the delegated engineer(s) are subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
GEN-5	Prior to the start of rough grading, the project owner shall assign at least one of each of the following California registered engineers: civil, geotechnical, design, mechanical, and electrical. All transmission facilities (lines, switchyards, switching stations, and substations) are handled in Conditions of Certification TSE-1, TSE-2 and TSE-3. The tasks performed by the civil, mechanical, electrical or design engineers may be divided between two or more engineers, as long as each engineer is responsible for a particular segment of the project (e.g., proposed earthwork, civil structures, powerplant structures, equipment support). No segment of the project shall have more than one responsible engineer. The transmission line may be the responsibility of a separate California registered electrical engineer. The project owner shall submit to the CBO for review and approval, the names, qualifications and registration numbers of all engineers assigned to the project. [1998 CBC, Section 104.2, Powers and Duties of Building Official.] If any one of the designated engineers is subsequently reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer. A: The civil engineer shall: * Design, or be responsible for design, stam, and sign all plans, calculations, and specifications for proposed site work, civil works, and related facilities. At a minimum, these include grading, site prep., excavation, compaction, construction of secondary containment, foundations, erosion and sedimentation control structures, drainage facilities, underground utilities, culverts, site access roads, and sanitary sewer systems; and *Provide consultation to the RE during the construction phase of the project, and recommend changes in the design of the civil works facilities and changes in the construction procedures. B: The geotechnical engineer or civil engineer, experienced and knowledgeable in the practice of soils engineering, shall: *Review all the engineering geology reports, and prepare final soils grading report; *Prepare the soils engineering reports required by the 1998 CBC, Appendix Chapter 33, Section 3309.5 - Soils Engineering Report, and Section 3309.6 - Engineering Geology Report; *Be present, as required during site grading and earthwork to provide consultation and monitor compliance with the requirements set forth in the 1998 CBC, Appendix Chapter 33, Section 3317, Grading Inspections; *Recommend field changes to the civil engineer and RE; *Review the geotechnical report, field exploration report, laboratory tests, and engineering analyses detailing the nature and extent of the site soils that may be susceptible to liquefaction, rapid settlement or collapse when saturated under load; and *Prepare reports on foundation investigation to comply with the 1998 CBC, Chapter 18 section 1804, Foundation Investigations. This engineer shall be authorized to halt earthwork and to require changes; if site conditions are unsafe or do not conform with predicted conditions used as a basis for design of earthwork or foundations. [1998 CBC, section 104.2.4, Stop orders.] C: The design engineer shall: *Be directly responsible for the design of the proposed structures and equipment supports; *Provide consultation to the RE during design and construction of the project; *Monitor construction progress to ensure compliance with LORS; *Evaluate and recommend necessary changes in design; and *Prepare and sign all major building plans, specifications and calculations. D: The mechanical engineer shall be responsible for, and sign and stamp a statement with, each mechanical submittal to the CBO, stating that the proposed final design plans, specifications, and calculations conform with all of the mechanical engineering design requirements set forth in the Energy Commission's Decision. E: The electrical engineer shall: *Be responsible for the electrical design of the project; and *Sign and stamp electrical design drawings, plans, specifications, and calculations.	5/15/2001	DONE	P	At least 15 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, the names, qualifications and registration numbers of all the responsible engineers assigned to the project. The project owner shall notify the CPM of the CBO's approvals of the engineers within five days of the approval. If the designated responsible engineer is subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications, and registration number of the newly assigned engineer to theCBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
GEN-6	Prior to the start of an activity requiring special inspection, the project owner shall assign to the project, qualified and certified special inspectors who shall be responsible for the special inspections required by the 1998 CBC, Chapter 17, Section 1701, Special Inspections, Section, 1701.5 Type of Work (requiring special inspection), and Section 106.3.5, Inspection and observation program. All transmission facilities (lines, switchyards, switching stations, and substations) are handled in Conditions of Certification TSE-1, TSE-2 and TSE-3. The special inspector shall: *Be a qualified person who shall demonstrated competence, to the satisfaction of the CBO, for inspection of the particular type of construction requiring special or continuous inspection; *Observe the work assigned for conformance with the approved design drawings and specifications; *Furnish inspection reports to the CBO and RE. All discrepancies shall be brought to the immediate attention of the RE for correction, then, if uncorrected, to the CBO and the CPM for corrective action; and *Submit a final signed report to the RE, CBO, and CPM, stating whether the work requiring special inspection was, to the best of the inspector's knowledge, in conformance with the approved plans and specifications and the applicable provisions of the applicable edition of the CBC. A certified weld inspector, certified by the American Welding Society (AWS), and/or American Society of Mechanical Engineers (ASME) as applicable, shall inspect welding performed on-site requiring special inspection (including structural, piping, tanks and pressure vessels).	5/21/2001	DONE	C	At least 10 days prior to the start of an activity requiring special inspection, the project owner shall submit to the CBO for review and approval, with a copy to the CPM, the name and qualifications of the certified weld inspector, or other certified special inspector assigned to the project to perform one or more of the duties set forth above. The project owner shall also submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors in the next Monthly Compliance Report. If the special inspector is subsequently reassigned or replaced, the project owner has five days in which to submit the name and qualifications of the newly assigned special inspector to the CBO for approval. The project owner shall notify the CPM of the CBO's approval of the newly assigned inspector within five days of the approval.
GEN-7	Project owner shall keep the CBO informed regarding the status of engineering and construction. If any discrepancy in design and/or construction is discovered, the project owner shall document the discrepancy and recommend the corrective action required. The discrepancy documentation shall be submitted to the CBO for review and approval. The discrepancy documentation shall reference this condition of certification and, if appropriate, the applicable sections of the CBC and/or other LORS.	DONE	DONE	C	The project owner shall submit monthly construction progress reports to the CBO and CPM. The project owner shall transmit a copy of the CBO's approval or disapproval of any corrective action taken to resolve a discrepancy to the CPM within 15 days. If disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval, and the revised corrective action to obtain CBO's approval.
GEN-8	Project owner shall obtain the CBO's final approval of all completed work. The project owner shall request the CBO to inspect the completed structure and review the submitted documents. When the work and the "as-built" and "as graded" plans conform to the approved final plans, the project owner shall notify the CPM regarding CBO's final approval. The marked up "as-built" drawings for the construction of structural and architectural work shall be submitted to the CBO. Changes approved by the CBO shall be identified on the final approved plans.	5/3/2001	5/27/2001 DONE	C	Within 15 days of the completion of any work, the project owner shall submit to the CBO, with a copy to the CPM, (a) a written notice that the completed work is ready for final inspection, and (b) a signed statement that the work conforms to the final approved plans.
CIVIL-1	Prior to the start of site grading, the project owner shall submit to the CBO for review and approval: *Design of the proposed drainage structures and the grading plans; *An erosion and sedimentation control plan;*Related calculations and specifications, signed and stamped by the responsible civil engineer; and *Soils report as required by the 1998 CBC, Appendix Chapter 33, Section 3309.5, Soils Engineering Report and Section 3309.6, Engineering Geology Report.	5/15/2001	DONE	P	At least 15 days prior to the start of site grading, the project owner shall submit the documents described above to the CBO for review and approval. In the next Monthly Compliance Report following the CBO's approval, the project owner shall submit a written statement certifying that the documents have been approved by the CBO.
CIVIL-2	Resident engineer shall, if appropriate, stop all earthwork and construction in the affected areas when the responsible geotechnical engineer or civil engineer experienced and knowledgeable in the practice of soils engineering identifies unforeseen adverse soil or geologic conditions. The project owner shall submit modified plans, specifications and calculations to the CBO based on these new conditions. The project owner shall obtain approval from the CBO before resuming earthwork and construction in the affected area. [1998 CBC, Section 104.2.4, Stop orders]	N/A	N/A	C	The project owner shall notify the CPM, within five days, when earthwork and construction is stopped as a result of unforeseen adverse geologic/soil conditions. Within five days of the CBO's approval, the project owner shall provide to the CPM a copy of the CBO's approval to resume earthwork and construction in the affected areas.
CIVIL-3	Project owner shall perform inspections in accordance with the 1998 CBC, Chapter 1 Section 108, Inspections; Chapter 17, Section 1701.6, Continuous and Periodic Special Inspection; and Appendix Chapter 33, Section 3317, Grading Inspection. All plant site-grading operations shall be subject to inspection by the CBO and the CPM. If, in the course of inspection, it is discovered that the work is not being done in accordance with the approved plans, the discrepancies shall be reported immediately to the resident engineer, the CBO, and the CPM. The project owner shall prepare a written report detailing all discrepancies and non-compliance items, and the proposed corrective action, and send copies to the CBO and the CPM.	DONE	DONE	C	Within five days of the discovery of any discrepancies, the resident engineer shall transmit to the CBO and the CPM a Non-Conformance Report (NCR), and the proposed corrective action. Within five days of resolution of the NCR, the project owner shall submit the details of the corrective action to the CBO and the CPM. A list of NCR's, for the reporting month, shall also be included in the following Monthly Compliance Report.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
CIVIL-4	After completion of finished grading and erosion and sedimentation control and drainage facilities, the project owner shall obtain the CBO's approval of the final "as graded" grading plans, and final "as built" plans for the erosion and sedimentation control facilities [1998 CBC, Section 109, Certificate of Occupancy.	Submitted 11/2001	DONE	C	Within 30 days of the completion of the erosion and sediment control mitigation and drainage facilities, the project owner shall submit to the CBO the responsible civil engineer's signed statement that the installation of the facilities and all erosion control measures were completed in accordance with the final approved combined grading plans, and that the facilities are adequate for their intended purposes. The project owner shall submit a copy of this report to the CPM in the next Monthly Compliance Report.
STRUC-1	Prior to the start of any increment of construction, the project owner shall submit to the CBO for review and approval the proposed dynamic and static lateral force procedures for new project structures and the applicable designs, plans and drawings for the new project structures. [1998 CBC, Section 3401 and Section 3403] Proposed lateral force procedures, designs, plans and drawings shall be those for: *Dynamic analysis of the lateral force resisting system; *Major project structures; *Major foundations, equipment supports and anchorage; *Large field fabricated tanks; and *Turbine/generator pedestal. Protocol: In addition, the project owner shall , prior to the start of any increment of construction, get approval from the CBO of the dynamic and static lateral force procedures proposed for the new project structures to comply with the lateral force provisions of the 1998 CBC. The project owner shall: *Obtain approval from the CBO of dynamic and static lateral force procedures proposed for the new project structures; *Obtain approval from the CBO for the final design plans, specifications, calculations, soils reports, and applicable quality control procedures. If there are conflicting requirements, the more stringent shall govern (i.e., highest loads, or lowest allowable stresses shall govern). All plans, calculations, and specifications for foundations that support the new structures shall be filed concurrently with the structure plans, calculations, and specifications [1998 CBC, Section 106.4.2, Retention of plans and Section 106.3.2, Submittal documents.]; and *Ensure that the final plans, calculations, and specifications clearly reflect the inclusion of approved criteria, assumptions, and methods used to develop the design. The final designs, plans, calculations and specifications shall be signed and stamped by the responsible design engineer [1998 CBC, Section 106.3.4, Architect or Engineer of Record.]	Please See Appendix C Struc-1	DONE	C	At least 15 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of any increment of construction, the project owner shall submit to the CBO, with a copy to the CPM, the responsible design engineer's signed statement that the final design plans, specifications and calculations conform with all of the requirements set forth in the Energy Commission's Decision. If the CBO discovers non-conformance with the stated requirements, the project owner shall resubmit the corrected plans to the CBO within 20 days of receipt of the nonconforming submittal with a copy of the transmittal letter to the CPM. The project owner shall submit to the CPM a copy of a statement from the CBO that the proposed structural plans, specifications, and calculations have been approved and are in conformance with the requirements set forth in the applicable LORS.
STRUC-2	Project owner shall submit to the CBO: *Concrete cylinder strength test; *Concrete pour sign-off sheets; *Bolt torque inspection reports; *Field weld inspections reports; and *Reports covering other structure activities requiring special inspections shall be in accordance with the 1998 CBC, Chapter 17, Section 1701, Special Inspections, Section 1701.5, Type of Work (requiring special inspection). Section 1702, Structural Observation and Section 1703, Nondestructive Testing. If a discrepancy is discovered in any of the above data, the project owner shall , within five days, prepare and submit an NCR describing the nature of the discrepancies to the CBO, with a copy of the transmittal letter to the CPM. The NCR shall reference the condition of certification and the applicable CBC chapter and section. Within five days of resolution of the NCR, the project owner shall submit a copy of the corrective action to the CBO and the CPM.	Please See Appendix C Struc-2	DONE	C	The project owner shall transmit a copy of the CBO's approval or disapproval of the corrective action to the CPM within 15 days. If disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval, and the revised corrective action to obtain CBO's approval.
STRUC-3	Project owner shall submit to the CBO design changes to the final plans required by the 1998 CBC, Chapter 1, Section 106.3.2, Submittal documents, and Section 106.3.3, Information on plans and specifications, including the revised drawings, specifications, calculations, and a complete description of, and supporting rationale for , the proposed changes, and shall give the CBO prior notice of the intended filing.	No reporting for this period	DONE	C	On a schedule suitable to the CBO, the project owner shall notify the CBO of the intended filing of design changes, and shall submit the required number of sets of revised drawings and the required number of copies of the other above-mentioned documents to the CBO, with a copy of the transmittal letter to the CPM. The project owner shall notify the CPM, via the Monthly Compliance Report, when the CBO has approved the revised plans.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
STRUC-4	Tanks and vessels containing quantities of toxic or hazardous materials exceeding amounts specified in Chapter 3, Table 3-E of the 1998 CBC shall, at a minimum, be designed to comply with Occupancy Category 2 of the 1998 CBC. Chapter 16, Table 16-K of the 1998 CBC requires use of the following seismic design criteria: I = 1.25, Ip = 1.5 and I w = 1.15.	N/A	DONE	C	At least 15 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of installation of the tanks or vessels containing the above specified quantities of toxic or hazardous substances, the project owner shall submit to the CBO for review and approval, final design plans, specifications, and calculation, including a copy of the signed and stamped engineer's certification. The project owner shall send copies of the CBO approvals of plans checks to the CPM in the following Monthly Compliance Report. The project owner shall also transmit a copy of the CBO's inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection.
MECH-1	Prior to the start of any increment of piping construction, the project owner shall submit the proposed final design drawings, specifications and calculations for each plant piping system (exclude domestic water, refrigeration systems, and small bore piping, i.e., piping and tubing with a diameter less than two and one-half inches). The submittal shall also include the applicable QA/QC procedures. The project owner shall design and install all piping, other than domestic water, refrigeration, and small bore piping to the applicable edition of the CBC. Upon completion of construction of any piping system, the project owner shall request the CBO's inspection approval of construction of aid construction [1998 CBC, Section 106.3.2, Submittal documents, Section 108.3, Inspection Requests] The responsible mechanical engineer shall submit a signed and stamped statement to the CBO when: *The proposed final design plans, specifications and calculations conform with all of the piping requirements set forth in the Energy Commission's Decision; and *All of the other piping systems, except domestic water, refrigeration systems and small bore piping have been designed, fabricated and installed in accordance with all applicable ordinances, regulation, laws and industry standards, including, as applicable: *American National Standards Institute (ANSI) B31.1 (Power Piping Code); *ANSI B31.2 (Fuel Gas Piping Code); * ANSI B31.3 (Chemical Plant and Petroleum Refinery Piping Code); *ANSI B31.8 (Gas Transmission and Distribution Piping Code); and * Specific City / County code. The CBO may require the project owner to employ special inspectors to report directly to the CBO to monitor shop fabrication or equipment installation [1998 CBC, Section 104.2.2, Deputies.]	6/14/2001	DONE	C	At least 15 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of any increment of piping construction, the project owner shall submit to the CBO for approval, with a copy of the transmittal letter to the CPM, the above listed documents for that increment of construction of piping systems, including a copy of the signed and stamped engineer's certification of conformance with the Energy Commission's Decision. The project owner shall transmit a copy of the CBO's inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection.
MECH-2	For all pressure vessels installed in the plant, the project owner shall submit to the CBO and California Occupational Safety and Health Administration (Cal-OSHA), prior to operation, the code certification papers and other documents required by the applicable LORS. Upon completion of the installation of any pressure vessel, the project owner shall request the appropriate CBO and/or Cal-OSHA inspection of said installation [1998 CBC, Section 108.3 - Inspection Requests.] The project owner shall: *Ensure that all boilers and fired and unfired pressure vessels are designed, fabricated and installed in accordance with the appropriate section of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, or other applicable code. Vendor certification, with identification of applicable code, shall be submitted for prefabricated vessels and tanks; and *Have the responsible design engineer submit a statement to the CBO that the proposed final design plans, specifications and calculations conform to all of the requirements set forth in the appropriate ASME Boiler and Pressure Vessel Code or other applicable codes.	6/14/2001	DONE	C	At least 15 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of on-site fabrication or installation of any pressure vessel, the project owner shall submit to the CBO for review and approval, final design plans, specifications and calculations, including a copy of the signed and stamped engineer's certification, with a copy of the transmittal letter to the CPM. The project owner shall send copies of the CBO plan check approvals to the CPM in the following Monthly Compliance Report. The project owner shall also transmit a copy of the CBO's and/or Cal-OSHA inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection.
MECH-3	Prior to the start of construction of any heating, ventilating, air conditioning (HVAC) or refrigeration system, the project owner shall submit to the CBO for review and approval the design plans, specifications, calculations and quality control procedures for that system. Packaged HVAC systems, where used, shall be identified with the appropriate manufacturer's data sheets. The project owner shall design and install all HVAC and refrigeration systems within buildings and related structures in accordance with the applicable edition of the CBC. Upon completion of any increment of construction, the project owner shall request the CBO's inspection and approval of said construction. The final plans, specifications and calculations shall include approved criteria, assumptions and methods used to develop the design. In addition, the responsible mechanical engineer shall sign and stamp all plans, drawings and calculations and submit a signed statement to the CBO that the proposed final design plans, specifications and calculations conform with the applicable LORS [1998 CBC, Section 108.7, Other Inspections; Section 106.3.4, Architect or Engineer of Record.]	6/14/2001	DONE	C	At least 15 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of construction of any HVAC or refrigeration system, the project owner shall submit to the CBO the required HVAC and refrigeration calculation, plans and specifications, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with the applicable edition of the CBC, with a copy of the transmittal letter to the CPM. The project owner shall send copies of CBO comments and approvals to the CPM in the next Monthly Compliance Report. The project owner shall transmit a copy of the CBO's inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
MECH-4	Prior to the start of each increment of plumbing construction, the project owner shall submit for CBO's approval the final design plans, specifications, calculations, and QA/QC procedures for all plumbing systems, potable water systems, drainage systems (including sanitary drain and waste), toilet rooms, building energy conservation systems, and temperature control and ventilation systems, including water and sewer connection permits issued by the local agency. Upon completion of any increment of construction, the project owner shall request the CBO's inspection approval of said construction [1998 CBC, Section 108.3, Inspection Requests, Section 108.4, Approved Required.] The project owner shall design, fabricate and install: *Plumbing, potable water, all drainage systems, and toilet rooms in accordance with Title 24, California Code of Regulations, Division 5, Part 5 and the California Plumbing Code (or other relevant section of the currently adopted California Plumbing Code and Title 24, California Code of Regulation); and * Building energy conservation systems and temperature control and ventilation systems in accordance with Title 24, California Code of Regulation, Division 5, Chapter 2-53, Part 2. The final plans, specifications and calculations shall clearly reflect the inclusion of approved criteria, assumptions and methods used to develop the design. In addition, the responsible mechanical engineer shall stamp and sign all plans, drawings and calculations and submit a signed statement to the CBO that the proposed final design plans, specifications and calculations conform with all of the requirements set forth in the Energy Commission's Decision.	6/14/2001	DONE	C	At least 15 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of construction of any of the above systems, the project owner shall submit to the CBO the final design plans, specifications and calculations, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with the applicable edition of the CBC, and send the CPM a copy of the transmittal letter in the next Monthly Compliance Report. The project owner shall transmit a copy of the CBO's inspection approvals to the CPM in the next Monthly Compliance Report following completion of that increment of construction.
ELEC-1	480 Volts and higher systems, project owner shall not begin any increment of electrical construction until plans have been approved by the CBO. These plans, together with design changes and design change notices, shall remain on the site for one year after completion of construction. The project owner shall request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS [1998 CBC, Section 108.4, Approval Required, and Section 108.3, Inspection Requests.] All transmission facilities (lines, switchyards, switching stations, and substations) are handled in Conditions of Certification TSE-1, TSE-2 and TSE-3 in TRANSMISSION SYSTEM ENGINEERING. The following shall be reported in the Monthly Compliance Report: *Receipt or delay of major electrical equipment; *Testing or energization of major electrical equipment; and *The number of electrical drawings approved, submitted for approval, and still to be submitted.	5/15/2001 7/25/2001 8/24/2001 9/24/2001 10/24/2001	DONE	C	At least 15 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of each increment of electrical construction, the project owner shall submit to the CBO for review and approval the final design plans, specifications and calculations for electrical equipment and systems 480 volts and greater, including a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS, and send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.
ELEC-2	Project owner shall submit to the CBO the required number of copies of items A and B for review and approval and one copy of item C [CBC 1998, Section 106.3.2, Submittal documents] All transmission facilities (lines, switchyards, switching stations, and substations) are handled in Conditions of Certification TSE-1 through TSE-3. A.) Final plant design plans to include: *one-line diagrams for the 13.8 kV and 480 V systems; *system grounding drawings; *general arrangement or conduit drawings; and *other plans as required by the CBO. B.) Final plant calculations to establish: *short-circuit ratings of plant equipment; *ampacity of feeder cables; *voltage drop in feeder cables; *system grounding requirements; *coordination study calculations for fuses, circuit breakers and protective relay settings for the 13.8 kV, 4.16 IV and 480 V systems; *system grounding requirements; *lighting energy calculations; and *other reasonable calculations as customarily required by the CBO. C.) A signed statement by the registered electrical engineer certifying that the proposed final design plans and specifications conform to requirements set forth in the Energy Commission Decision.	5/15/2001 8/24/2001 9/24/2001 10/24/2001	DONE	C	At least 15 days (or a lesser number of days mutually agreed upon by the project owner and the CBO) prior to the start of each increment of electrical equipment installation, the project owner shall submit to the CBO for review and approval the final design plans, specifications and calculations, for electrical equipment and systems 480 volts and greater enumerated above, including a copy of the signed and stamped statement from the responsible electrical engineer certifying compliance with the applicable LORS. The project owner shall send the CPM a copy of the transmittal letter n the next Monthly Compliance Report.
TLSN-1	The project owner shall construct the proposed transmission line according to the requirements of GO-95, GO-52, Title 8, Group 2, Sections 2700 through 2974 of the California Code of Regulations and SCE's EMF-reduction measures arising from CPUC Decision 93-11-013.	N/A	N/A	C	15 Days before the start of operation, the project owner shall submit to the Commission's Compliance Project Manager (CPM) a letter signed by a California registered electrical engineer affirming that the transmission line meets the requirements of GO-95, GO-50, Title 8, Group 2, Sections 2700 through 2974 of the California Code of Regulations, and SCE's EMF reduction guidelines arising from CPUC Decision 93-11-013.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
TLSN-2	The Project owner shall make every reasonable effort to identify and correct, on a case specific basis, all complaints of interference with radio or television signals from operation of the line and related facilities. In addition to any transmission repairs, the relevant corrective actions should include, but shall not be limited to, adjusting or modifying receivers, adjusting or repairing, replacing or adding antennas, antenna signal amplifiers, filters, or lead-in cables. The project owner shall maintain written records for a period of five years, of all complaints of radio or television interference attributable to operation together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notations on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution should be noted and explained. The record shall be signed by the project owner and also the complainant, if possible, to indicate concurrence with the corrective action or agreement with the justification for a lack of action.	N/A	N/A	O	All reports of line-related complaints shall be summarized and included in the Annual Compliance Report to the CPM.
TSE-1	Project owner shall ensure that the design, construction and operation of the proposed transmission facilities will conform to requirements listed below. The substitution of Compliance Project Manager (CPM) approved "equivalent" equipment and equivalent switchyard configurations is acceptable. A.) Power plant switchyard, outlet line and termination shall meet or exceed the electrical, mechanical, civil and structural requirements of CPUC General Order 95, CPUC Rule 21, Title 8, CCR, Articles 35, 36 and 37 of the , "High Voltage Electric Safety Orders", National Electric Code (NEC), and related Industry Standards. B.) Breakers and buses in the power plant switchyard (i.e. SCE's existing 230 kV Huntington Beach switchyard) and other switchyards/substations, where applicable, shall be sized to comply with the SCE short circuit study. C.) The existing Huntington Beach 230 kV switchyard ahs a double sectionalized bus which shall be operated as either as a split bus or in parallel. D.) The outlet line will use conductors sufficient to carry full load currents of the generator. E.) Termination facilities at the interconnection shall comply with applicable Cal-ISO and SCE interconnection standards (SCE Interconnection Handbook and CPUC Rule 21). F.) Outlet line crossings and line parallels with transmission and distribution facilities shall be coordinated with the transmission line owner and comply with the owner's standards. G.) The project owner shall provide a Detailed Facilities Study including a description of remedial action scheme sequencing and timing and an executed Generator Special Facilities Agreement (GSFA) for the transmission interconnection with SCE. The Detailed Facilities Study and GSFA shall be coordinated with and approved by the Cal-ISO.	N/A	N/A	P	At least 30 days prior to start of construction of transmission facilities, the project owner shall submit for approval to the CBO: A.) Design drawings, specifications and calculations conforming with CPUC General Order 95 and related industry standards, where applicable, for the poles/towers, foundations, anchor bolts, conductors, grounding systems and major switchyard equipment. B.) For each element of the transmission facilities as identified above, the submittal package to the CPM or CBO shall contain the design criteria, a discussion of the calculation methods, a sample calculation based on "worst case conditions" and a statement by the registered engineer in responsible charge (signed and sealed) that the transmission elements will conform with CPUC General Order 95, Title 8, CCR, Articles 35, 36 and 37 of the, "High Voltage Electric Safety Orders", the NEC, SCE Interconnection Handbook, CPUC Rule 21 and related industry standards. C.) Electrical one-line diagrams signed and sealed by the registered professional electrical engineer in responsible charge, a route map, and an engineering description of equipment and the configurations covered by requirements A through H above. The Detailed Facilities Study and GSFA shall concurrently be provided. Substitution of equipment and substation configuration shall be identified and justified by the project owner for CPM approval.
TSE-2	Project owner shall inform the CPM of any impending changes, which may not conform to the requirements 1A through 1H of TSE-1, and have not received CPM approval, and request approval to implement such changes. A detailed description of the proposed change and complete engineering, environmental, and economic rationale for the change shall accompany the request. Construction involving changed equipment, transmission facilities or switchyard configurations shall not begin without prior written approval of the changes by the CPM and CBO.	N/A	N/A	P	At least 15 days prior to construction of transmission facilities, the project owner shall inform the CPM and CBO of any impending changes which may not conform to requirements of TSE-1 and request approval to implement such changes.
TSE-3	Project owner shall be responsible for inspection of the transmission facilities during and after project construction and any subsequent CPM approved changes thereto, to ensure conformance with CPUC General Order 95, Title 8, CCR, Articles 35, 36 and 37 of the, "High Voltage Electric Safety Order", the NEC, SCE Interconnection Handbook, CPUC Rule 21 and related industry standards. In case of non-conformance, the project owner shall inform the CPM in writing within 10 days of discovering such non-conformance and describe the corrective actions to be taken.	N/A	N/A	C	Within 60 days after first synchronization of the project, the project owner shall transmit to the CPM: A.) "As built" engineering descriptions and one-line drawings of the electrical portion of the facilities signed and sealed by the registered electrical engineer in responsible charge. A statement attesting to conformance with CPUC General Order 95, Title 8, CCR, Articles 35, 36 and 37 of the , "High Voltage Electric Safety Orders", the NEC, SCE Interconnection Handbook, CPUC Rule 21 and related industry standards, and these conditions shall be concurrently provided. B.) An "as built" engineering description focused on safety provisions of the mechanical structural, and civil portion of the transmission facilities signed and sealed by the registered engineer in responsible charge. C.) A summary of inspections of the completed transmission facilities, and identification of any nonconforming work and corrective actions taken, signed and sealed by the registered engineer in responsible charge.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
WS-1	Project owner shall submit to the CPM a copy of the Project Construction Safety and Health Program, containing the following: *A construction Injury and Illness Prevention Program; ***A** construction Fire Protection and Prevention Plan; *A personal Protective Equipment Program. Protocol: The Construction Injury and Illness Prevention Program and the Personal Protective Equipment Program shall be submitted to the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal-OSHA) Consultation Service, for review and comment concerning compliance of the program with all applicable Safety Orders. The Construction Fire Protection and Prevention Plan shall be submitted to the City's of Huntington Beach Fire Department for review and acceptance.	4/23/2001	DONE	P	At least 15 days prior to the start of construction, or a date agreed to by the CPM, the project owner shall submit to the CPM a copy of the Project Construction Safety and Health Program and the Personal Protective Equipment Program, with a copy of the cover letter transmittal of the programs to Cal/OSHA Consultation Service. The project owner shall provide a letter from the City of Huntington Beach Fire Department stating stat they have reviewed and accepted the Construction Fire Protection and Prevention Plan.
WS-2	Project owner shall submit to the CPM a copy of the Project Operation Safety and Health Program containing the following: *An Operation Injury and Illness Prevention Plan; *An Emergency Action Plan; *On Operation Fire Protection Plan; and * A Personal Protective Equipment Program. Protocol: the Operation Injury and Illness Prevention Plan, Emergency Action Plan, and Personal Protective Equipment Program shall be submitted to the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) Consultation Service for review and comment concerning compliance of the program with all applicable Safety Orders. The operation's Emergency Action Plan and Fire Protection Plan shall be submitted to the City of Huntington Beach Fire Department for review and acceptance. The final versions of the operation Injury and Illness Prevention Plan, Emergency Action Plan, Fire Protection Plan and Personal Protective Equipment Program shall incorporate Cal/OSHA and Cify of Huntington Beach Fire Department comments.	6/21/2001	DONE	C	At least 30 days prior to the start of operation, the project owner shall submit to the CPM a copy of the final version of the Project Operation Safety & Health Program with a copy of the cover letter to Cal/OSHA's Consultation Service, and City of Huntington Beach Fire Department comments stating that they have reviewed and accepted the specified elements of the proposed Operation Safety and Health Plan. The project owner shall notify the CPM that the Project Operation Safety and Health Program (Injury and Illness Prevention Plan, Fire Protection Plan, the Emergency Action Plan, and Personal Protective Equipment requirements), including all records and files on accidents and incidents, is present on-site and available for inspection.
WS-3	Prior to the start of project-related ground disturbing activities, the project owner shall submit to the CPM for review a noise control program. The noise control program shall be used to reduce employee exposure to high noise levels during construction and also to comply with applicable OSHA and Cal-OSHA standards.	4/13/2001	DONE	P	At least 15 days prior to the start of project-related ground disturbing activities, the project owner shall submit to the CPM the above referenced program. The project owner shall make the program available to OSHA upon request.
WS-4	Project owner shall conduct an occupational noise survey to identify the noise hazardous areas in the facility. The survey shall be conducted within 30 days after the facility is in full operation, and shall be conducted by a qualified person in accordance with the provisions of Title 8, California Code of Regulations, sections 5096-5099 (Article 105) and Title 29, Code of Federal Regulations, section 1910.95. The survey results shall be used to determine the magnitude of employee noise exposure. The project owner shall prepare a report of the survey results and, if necessary, identify proposed mitigation measures that will be employed to comply with the applicable California and federal regulations.	FS by 2/2002 for Unit 3, completed 12/21/04	DONE	C	Within 30 days after completing the survey, the project owner shall submit the noise survey report to the CPM. The project owner shall make the report available to OSHA and Cal-OSHA upon request.

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Compliance Matrix Huntington Beach Units 3 & 4 (00-AFC-13)

Condition	Condition Requirements	Date Submitted/ Status	Date(s) Approved	Project Phase	Condition Verification
FP-1	Fire Protection Systems - Water storage, supply and movement. 1.) Provide the size(s) of any onsite water storage tank(s),if any, dedicated exclusively for fire service. With respect to any such storage tank, indicate whether the tank is always maintained at its maximum fill capacity. If it is not always maintained at its maximum fill capacity, provide operating information specifying how and when the tank is filled and depleted. 2.)If there is currently an onsite water storage tank dedicated exclusively for fire service, indicate whether a multi-purpose water storage tank is intergrated into the fire service system that would be available for use during emergencies. If so, indicate whether the storage tank is maintained at its maximum fill capacity. If not, provide detailed operating information specifying how and when the tank is filled and depleted. 3.) Provide current detailed information on the fire-system pumps and their associated drivers, i.e., manufacturer data sheets, pump curvers, and other performance data. Indicate whether pumps and drivers work in series or parallel. 4.) Provide the current fire-flow capacity on a gallon per minute basis that AES maintains onsite and the duration over which that capacity can be sustained before a demand sure is placed on the City's water system. 5.) Provide an independent third party consultant, selected by the Huntington Beach Fire Department, to review, comment, evaluate and certify AES fire protection systems. The review, evaluation, certification and all associated costs are to be paid by AES. Provide copies of any reports provided by that consultant service and the certification. Additionally, provide all available reports describing the performance of the fire protection systems, hydrants, tanks, pumps and fixed systems for adequate fulfillment of fire-flow requirements for worst case scenarios. 6.) Provide a current detailed plan of the fire water protection fixtures, line sizes and any other appurtenances that are connected to or other wise integrated into the fire protection system. 7.) Provide other fire prevention and protection staples as required by Huntington Beach and Uniform Fire Codes to include but not be limited to : *Portable fire extinguishers; *Designated and posted fire lanes; * Fire alarm systems with manual pull stations, water flow valve tamper and trouble detection; *24 hour supervision; *Automatic sprinkler systems; and *Barriers to protect key elements of fire protection equipment.	FS	DONE	C	No verification issued.
FP-2	Other Systems, Policies, Plans Programs & Procedures: 1.) Provide detail of fire protections systems (non-water) to include drawings of those systems with detection, pull stations, panel locations, alarm bells, strobe lights and all other appurtenances associated with detection or suppression systems. 2.)Provide, in writing, a "Spill/Release Policy and Procedures Program" and onsite spill mitigation and disposal plans to the City Fire Chief for approval and include a policy with procedures requiring and certifying the immediate reporting of any hazardous material spill or leak to the Huntington Beach Fire Department with follow-up procedures. 3.) Provide a written submittal of an "Emergency Response Plan" that includes detailed in-house response actions and associated employee training programs to support qualified employee response to any and all possible emergencies to the Fire Chief for approval and publish when approved. 4.) Provide a "Hazardous Waste Contingency Plan" with documentation and drawings to show the location of the hazardous waste storage area, ownership of land that houses the hazardous waste storage area, emergency equipment available procedures for handling and storing hazardous waste, training and certification provided to employees assigned to handle hazardous waste, laveling requirements of hazardous waste and manifesting procedures for arranging for disposal of hazardous waste. 5.)Provide public health and safety plans and programs where required by (LORS) local ordinances and regulations to include all changes related to the retooling to include but not limited to: *Hazardous Communication Programs to include Employee Training Plans; *Spill Prevention Control & Countermeasure Plan (SPCC) if required; *Personal Protective Equipment Survey and Plan (PPE); * Earthquake and Emergency Flood Contingency Plans; *Injury & Illness Prevention Programs as required by Federal and State Regulations and any other plans mentioned in this document; *Chemical Hygiene Plans; *Facility Closure Plans as specified by City specifications; *Solid and Liquid Waste Disposal Control Plans; and *Construction Safety and Training Programs.	DONE. SPCC plan submitted on 7/17/2001.	DONE	C	No verification issued.

P = Pre-construction C = Construction O= Operations

FS = Future Submittal, **bold** indicates a change.