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DOCKET
97-AFC-2C
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January 10, 2007

Mr. Steve Munro
Compliance Project Manager
Systems Assessment & Facility Siting Division
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, CA 95814

RE: PETITION TO AMEND SUTTER ENERGY CENTER'S CONDITIONS OF CERTIFICATION
Docket Number 97-AFC-2C

Dear Mr. Munro:

Pursuant to Section 1769 of the California Energy Commission (CEC) Siting Regulations, Sutter Energy Center (SEC), hereby submits the attached Petition to amend SEC's Conditions of Certification.

Please contact Dave Williams at (925) 479-6744 or me at (530) 821-2074 if you have any questions regarding this submittal.

Sincerely,

Vinnie Venethongkham
Plant Engineer
Sutter Energy Center

cc: Scott Reynolds
Barbara McBride
Dave Williams
Environmental File: SEC C 1.1

PETITION FOR INSIGNIFICANT AMENDMENTS TO OPERATIONS CONDITIONS OF CERTIFICATION

As required by Section 1769 of the CEC Siting Regulations, Sutter Energy Center (SEC) hereby submits the following discussion to amend the Air Quality Conditions of Certification of SEC's Application for Certification 97-AFC-2C. SEC proposes removing Conditions AQ-32(5) and AQ-32(6) from the Decision.

Although SEC was designed and permitted to serve the market as a base loaded facility, operating 24 hours per day, 7 days per week, market changes have necessitated the need to cycle the facility more often. This cycling consists of shutting down one or more combustion turbines at night during off-peak hours and then restarting the turbines during the peak hours the next day. This results in many more startups and shutdowns than anticipated.

During the past year, the facility came close to the limit of 102 startup hours per quarter (98 for CT-1 and 95 for CT-2 during the 2nd quarter). Similar conditions in the future could result in the need to keep the facility off-line during peak power demand, causing financial hardship to Sutter as well as a potential power shortage.

Without the startup and shutdown cumulative hour limitation, the Decision is structured to limit facility emissions sufficiently. AQ-32(2) and AQ-32(4) limit the amount of time the turbines can remain in startup and shutdown condition, AQ-32(11) limits the mass emissions during each startup/shutdown hour and event, AQ-32(12) limits the facility daily mass emissions, and AQ-32(13) and AQ-32(14) limit emissions on a quarterly and annual basis.

AQ-32(5) and (6) were initially imposed to help ensure that the facility didn't impact air quality on both a short term and long term basis, however, since other conditions provide the same protections, there is no need for AQ32(5) and (6). Sutter will continue to meet all the existing emission limits in the current conditions.

Pursuant to CCR Title 20, Section 1769 (a)(1)(A) and (B), a description of the proposed modifications, including new language for affected conditions and the necessity for the modifications is required.

SEC is requesting that AQ-32(5) and AQ-32(6) be deleted.

The limit on total startup and shutdown hours on a quarterly and annual basis are not necessary to ensure compliance with air quality standards, however, they could potentially force the facility to cease operations during peak power demand periods. Current power market conditions mandate facilities to cycle more often on a daily basis, thus requiring more startups and shutdowns. Although SEC is cycling more than originally anticipated, it has, and will continue to meet all short and long term emission limits.

Pursuant to CCR Title 20, Section 1769 (C), a discussion is required on if the modification is based on information that was known by the petitioner during the certification proceeding, and an explanation of why the issue was not raised at that time.

The changes requested to the Air Quality conditions are based on information obtained from facility operations and the current and recent power market. At the time of certification, SEC was intended to be a base loaded facility, operating 24 hours per day, 7 days per week. During certain market conditions, the facility must cycle on a daily basis. These conditions are much more prevalent today than they were when the facility was cited.

Pursuant to CCR Title 20, Section 1769 (D), a discussion is required on whether the modification is based on new information that changes or undermines the assumptions, rationale, findings, or other bases of the final decision, and explanation of why the change should be permitted.

The proposed changes to the Air Quality conditions is based on information obtained after the completion of the certification process. Since the change is administrative and actual facility emissions will be unaffected, Calpine believes the proposed changes do not undermine the assumptions, rationale, findings or other bases of the final decision.

Pursuant to CCR Title 20, Section 1769 (E), an analysis of the impacts the modifications may have on the environment and proposed measures to mitigate any significant adverse impacts is required.

The proposed changes to the conditions of certification does not result in any significant adverse environmental impact.

Pursuant to CCR Title 20, Section 1769 (F), a discussion of the impact of the modification on the facility's ability to comply with applicable laws, ordinances, regulations, and standards is required.

The proposed amendment will have no impact on the facility's ability to comply with applicable laws, ordinances, regulations, and standards. SEC will continue to meet all applicable permit conditions.

Pursuant to CCR Title 20, Section 1769 (G), a discussion of how the modifications affect the public is required.

Calpine asserts that the proposed modification to the conditions of certification will not adversely affect the public.

Pursuant to CCR Title 20, Section 1769 (H), a list of property owners potentially affected by the modification is required.

The proposed amendment is administrative in nature; therefore no property owners will be affected by the modification.

Pursuant to CCR Title 20, Section 1769 (I), a discussion of the potential effect on nearby property owners, the public and the parties in the application proceedings is required.

The proposed amendment will have no impact on property owners, the public, or any other parties.