COUNTY FIRE DEPARTMENT

COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP

OFFICE OF THE FIRE MARSHAL
HAZARDOUS MATERIALS DIVISION
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PAT A. DENNEN
Fire Chief
County Fire Warden

MAY 11, 2007

DOCKET
07-AFC-2
DATE MAY 11 2007
RECD. MAY 17 2007

CALIFORNIA ENERGY COMMISION
1516 9TH STREET
MS-15
SACRAMENTO, CA 95814

ATTENTION: STANLEY YEH, PROJECT MANAGER

SUBJECT: RESPONSE TO SAN GABRIEL GENERATION STATION PROJECT, APPLICATION FOR CERTIFICATION (07-AFC)

FACILITY: 8996 ETIWANDA AVENUE, RANCHO CUCAMONGA, SAN BERNARDINO COUNTY

The San Bernardino County CUPA has determined that a Risk Management Plan (RMP) is required to be developed and implemented to satisfy the requirements of the California Accidental Release Prevention (CalARP) Program for the above-mentioned project. A Risk Management Plan coordinated with this CUPA and the Business Emergency/ Contingency Plan prepared following CUPA guidelines must be submitted before operations commence with regards to this new process. This notice satisfies the requirement of CA Health and Safety Code Section 25534.2 and Government Code 65850.2. These laws require the owner or operator of a stationary source handling regulated substances to obtain from the administering agency, a notice of requirement to comply with, or determination of exemption from, the requirement for a Risk Management Plan prior to the approval of a development project or issuance of a building permit.

Based on documentation received April 2007, in the Application for Certification submitted to the California Energy Commission, San Gabriel Power Generation, LLC, determined a Program 1 RMP will be prepared, implemented, and submitted for the storage of 15,000 gallons of aqueous ammonia. Pursuant to California Code of Regulations, Title 19, Section 2735.5 (a) "*The owner or operator of a stationary source shall closely coordinate with the AA to implement the requirements of this chapter and to determine the appropriate level of documentation required for an RMP to comply with Sections 2745.3 through 2745.9 of this chapter.*" Documentation has not been provided to San Bernardino County CUPA. Therefore, San Bernardino County CUPA does not concur with the proposed Program 1 RMP for this project as submitted in the Application for Certification.

While coordination with this CUPA is required pursuant to California Code of Regulations Title 19 Section 2735.5 (a), San Bernardino County CUPA is not the implementing agency for Uniform Fire Code requirements for this project. It is advisable to coordinate with Rancho Cucamonga Fire Department, as they have jurisdiction with regards to Uniform Fire Code.

Please note that even for substances that do not qualify for the CalARP Program, the stationary source does have a general duty under Section 112(r) of the federal Clean Air Act Amendments to prevent and mitigate the consequences of releases of extremely hazardous substances. Note that extremely hazardous substances in this case are not limited to any particular list or threshold. The general duty clause requires owners and operators of stationary sources to:

- Identify hazards which may result from releases using appropriate hazard assessment techniques;
- Design and maintain a safe facility taking such steps as are necessary to prevent releases; and
- Minimize the consequences of accidental releases that do occur.

Therefore, any process safety information and procedures used during this initial development and testing period should be thoroughly documented and care should be taken to continue to operate the facility to prevent releases.

The California Accidental Release Prevention Program requires a 45-day public review period after the RMP is determined to be complete. At the end of the formal public review process, comments from the public are reviewed and considered as part of the agency's evaluation review. In any case a complete RMP with all supporting documentation and a complete business emergency/contingency plan must be submitted prior to handling of regulated substances at the new facility.

For an overview of the CalARP and Business Plan requirements, please see the enclosed documents. These documents are also available from the Hazmat menu item of the San Bernardino County Fire Department website located at http://www.sbcfire.org, click on Hazmat on the left hand side of the screen, and then click on the phrase Forms and Guidelines in the upper right corner of the screen. Should you have any further questions, comments, or concerns, please feel free to contact me at (909) 386-8401 or kriegel@sbcfire.org.

Kristen Riegel

KRISTEN RIEGEL, MPH, REHS
Hazardous Materials Division, Field Services Section

cc: Matt Greek, Vice President, Gas Plant Operations, San Gabriel Power Generation , LLC