

DOCKET 06-AFC-10

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March 7, 2007

Edward Gonzalez
County of Fresno
Planning & Resource Management
2220 Tulare Street, Suite A
Fresno, CA 93721

Project: Starwood Power Midway, LLC (06-AFC-10)

Subject: CEQA comments regarding the proposed 120-megawatt (MW) simple-cycle power plant to be located at 43649 Panoche Road, Firebaugh

District Reference No: 200700323

Dear Mr. Gonzalez:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above and offers the following comments:

The California Energy Commission (CEC) has permitting authority over thermal energy facilities (power plants) that generate 50 MW or more of electricity. As such, the CEC is the Lead Agency for CEQA purposes. The District's duty as a Responsible Agency is to evaluate the project and ensure compliance with all applicable Federal, State, and District Rules and Regulations relating to air quality and to make a Determination of Compliance (DOC). The CEC will then incorporate all conditions of the DOC within the final certification of the power plant.

The San Joaquin Valley Air Basin is currently designated as serious non-attainment for Ozone and non-attainment (no classification) for PM2.5. On October 30, 2006, the US EPA found that the San Joaquin Valley had attained the PM10 standard. The US EPA based its determination upon monitoring data demonstrating that the ambient air quality had met the requirements for attainment. The US EPA's finding does not change the District's classification as a serious PM10 non-attainment to attainment area. However, re-designation from serious non-attainment to attainment requires additional documentation and will occur at some future date.

The District has reviewed Application for Certification (AFC) Section 5.2 – Air Quality and concludes the project would contribute to the overall decline in air quality due to emissions generated by the following activities:

Construction Emissions - The project's construction emissions will exceed the District's Thresholds of Significance for ozone precursors of 10 tons per year for oxides of nitrogen (NOx). These emissions, however, are temporary in nature and should not have a long-term impact on air quality.

Operational (permitted source) Emissions – The project will generate emissions that exceed the District's Thresholds of Significance of 10 tons per year for ROG and NOx. As stated above, the CEC incorporates all conditions of the DOC in the final certification of the power plant. Therefore, the project will comply with all District rules and will reduce the operational emissions to a level of insignificance (less than 10 tons per year for ROG and NOx).

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Jessica R. Willis at (559) 230-5818 and provide the reference number at the top of this letter.

Sincerely,

David Warner
Director of Permits Services

Arnaud Marjollet
Permit Services Manager

DW:jrw

cc: Che McFarlin, CEC
File