

COUNTY FIRE DEPARTMENT



COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP

OFFICE OF THE FIRE MARSHAL
HAZARDOUS MATERIALS DIVISION
620 South "E" Street • San Bernardino, CA 92415-0153
(909) 386-8401 • Fax (909) 386-8460

PAT A. DENNEN
Fire Chief
County Fire Warden

June 23, 2006

CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET, MS-15
SACRAMENTO, CA 95814

DOCKET 06-AFC-2
DATE JUN 23 2006
REC'D JUN 27 2006

ATTENTION: JAMES W. REEDE, JR., PROJECT MANAGER

**SUBJECT: REVIEW OF THE AES HIGHGROVE POWER PLANT PROJECT,
APPLICATION FOR CERTIFICATION (06-AFC-2)**

San Bernardino County Fire Department, Hazardous Materials Division (also known as San Bernardino County Fire CUPA), has received the information with regards to the proposed Highgrove Power Plant Project (HPP), in the City of Grand Terrace, San Bernardino County.

After reviewing the sections of interest to San Bernardino County Fire CUPA, the following concerns have been identified:

- *Table 8.12-1 Applicable Laws, Ordinances, Regulations, and Standards:* Under the Local section of this table, reference was made to the City of Riverside Municipal Code – Title 9, Chapter 9.48 which requires filing of a hazardous materials business plan with the fire department. This proposed project is located in the incorporated city of Grand Terrace, which is in the county of San Bernardino. Therefore, the City of Riverside does not have authority for hazardous materials laws and regulations for this proposed project. San Bernardino County Fire CUPA has the authority for requiring submission of a business plan. Furthermore, additional references were made implying Riverside County has the authority for the Risk Management Plan and Uniform Fire Code requirements. San Bernardino County Fire CUPA has the authority for requiring the preparation and implementation of the Risk Management Plan; San Bernardino County Fire Department, Community Safety Division has the responsibilities for enforcing Uniform Fire Code issues – proper storage and handling of hazardous materials.
- *Section 8.12.8.2.2 Other Hazardous Materials:* The following statement was made, "If a spill involves hazardous materials equal to or greater than the specific reportable quantity all federal, state, and local reporting requirements will be followed." California Health and Safety Code, section 25507 states, "Except as provided in subdivision (b), the handler or any employee, authorized

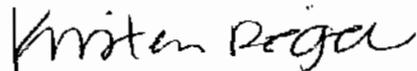
AES Highgrove, LLC

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representative, agent, or designee of a handler shall, upon discovery, immediately report any release or threatened release of a hazardous material to the administering agency, and to the office in accordance with the regulations adopted pursuant to Section 25503." California does not have a reportable quantity. Therefore, any and all releases involving hazardous materials must be reported to San Bernardino County Fire CUPA and State Office of Emergency Services.

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, MPH, REHS
Hazardous Materials Division, Field Services Section

Enc: Notice to Comply – Risk Management Plan & Business Plan issued to AES Highgrove, LLC

cc: Julie Way, President, AES Highgrove, LLC