



# City of Carlsbad

Office of the Fire Chief

March 30, 2009

Mr. Tim Hemig  
Vice President  
Carlsbad Energy Center, LLC  
1817 Aston Avenue  
Carlsbad, CA 92008

<b>DOCKET</b>	
07-AFC-6	
DATE	MAR 30 2009
RECD.	APR 01 2009

Dear Mr. Hemig,

This letter is in response to your letter dated March 13, 2009 to Fire Marshal Weigand that appears to be in response to a letter I sent to the California Energy Commission on March 10, 2009 regarding NRG's proposed power plant, the Carlsbad Energy Center (CECP).

As you are aware, the Carlsbad Fire Department has serious questions regarding the fire and life safety aspects of the proposed CECP. In my letter to the Energy Commission (CEC), I expressed the Fire Department's belief that additional and accurate information regarding the power plant is necessary in order for the Carlsbad Fire Department to make informed and appropriate comments to the CEC. Please be advised that I continue to hold this belief and that without this information, the Carlsbad Fire Department (CFD) will be unable to assess its ability to provide the proposed power plant with emergency services and fire protection.

In your March 13, 2009 letter to Fire Marshal Weigand, you highlight NRG's commitment to comply with all applicable fire protection regulations. The Fire Department appreciates this commitment and it looks forward to NRG fulfilling its responsibility as a corporate citizen of Carlsbad. However, I am concerned the letter and its attachment, which attempts to reflect the CECP's compliance with existing applicable fire codes, contains substantial inaccuracies or oversights that would have a material impact on the project. Examples of these include:

- There is no such document as the "National Uniform Fire Code". Prior editions of the California Fire Code were based on a document published by the Western Fire Chiefs Association known as the *Uniform Fire Code* that was adopted with state and local amendments. Starting with the 2007 edition of the California Fire Code, the document is based on the *International Fire Code* published by the International Code Council. Because of this change, requirements found in previous versions of the California Fire Code which were based on the *Uniform Fire Code* will not apply to this project.



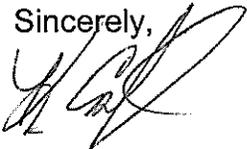
- Fire Access Road Width – The attachment cites the minimum 20-foot fire access roadway width required in the current edition of the California Fire Code (CFC §503.2.1). This requirement is applicable on open ground with no limits in the fire department's ability to provide fire and rescue services (not the case in this project). The attachment should have referenced the next section of the California Fire Code which states, "[T]he fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire and rescue operations (CFC §503.2.2). Until NRG provides the Carlsbad Fire Department with the necessary 3D depictions of the facility that has been requested, it is impossible for us to evaluate the actual required width of the roadways. However, as the department has stated on numerous occasions, a minimum of 24 feet for access road widths will be required due to the recessed nature of the plant.
- Access Extent From Building – The attachment makes reference to Appendix Chapter D of the 2007 edition of the California Fire Code. This Appendix Chapter was not adopted by the State of California or the City of Carlsbad.

Clearly, these inaccuracies provide further proof for the need for active and comprehensive review of this project by CFD.

In summary, the Carlsbad Fire Department wants to meaningfully participate in the California Energy Commission's review of the proposed Carlsbad Energy Center. However, in order to do such, additional information is required. The Fire Department looks forward to NRG resolving these issues by providing the information requested, as identified in my letter dated March 10, 2009 to Mike Monasmith, Siting Project Manager at the California Energy Commission, in a timely fashion.

If you have any questions, please contact either me (760) 931-2141 or Fire Marshal Jim Weigand at (760) 602-4661.

Sincerely,



**Kevin Crawford**  
Fire Chief

CC: Proof of Service List



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
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APPLICATION FOR CERTIFICATION  
FOR THE **CARLSBAD ENERGY  
CENTER PROJECT**

Docket No. 07-AFC-6

**PROOF OF SERVICE**  
(Revised 2/18/2009)

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DECLARATION OF SERVICE

I, Andrea Dykes, declare that on March 31, 2009, I served and filed copies of the attached document. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [\[http://www.energy.ca.gov/sitingcases/carlsbad/index.html\]](http://www.energy.ca.gov/sitingcases/carlsbad/index.html). The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

**(Check all that Apply)**

**For service to all other parties:**

X  sent electronically to all email addresses on the Proof of Service list;

       by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

**AND**

**For filing with the Energy Commission:**

X  sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

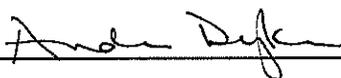
**OR**

       depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 07-AFC-6  
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Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct.

  
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