

## BEFORE THE HEARING BOARD OF THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT STATE OF CALIFORNIA

In the Matter of the Application of	Docket No.: 3675
CREED ENERGY CENTER, LLC,	ORDER GRANTING EMERGENCY VARIANCE
For Emergency Variance from Regulation 2, Rule 1, Section 307; Regulation 2, Rule 6, Section 307; and Permit Condition #20136, Parts 198.2. and 23.b. (Site #B4414).	

The above-entitled matter, being an Application for Emergency Variance (EV) from the provisions of Regulation 2, Rule 1, Section 307; Regulation 2, Rule 6, Section 307; and Permit Condition #20136, Parts 198.2. and 23.b., was filed on June 30, 2015 after initial contact by telephone at 4:17 p.m. on June 29, 2015, and having been considered by the Hearing Board,

THE HEARING BOARD STATES as the reasons for its decision and FINDS as to those matters in which findings are required:

A. Applicant filed an application under the EV procedures, Hearing Board Rules, Section 2.5. Pursuant to Health and Safety Code Sections 42359 and 42359.5, and the Hearing Board determined that this Application properly could be ruled upon without notice and hearing. Prior to making this determination, and in accordance with Hearing Board Rules Section 2.5.d.2, the Hearing Board requested and received a response to this Application from

the Executive Officer/Air Pollution Control Officer for the Bay Area Air Quality Management District (Air District). The Air District staff response recommended the Application for EV be granted.

- B. Applicant operates a 'peaker' natural gas-fired power plant located at 6150 Creed Road, Suisun City, CA 94585.
- C. Applicant is currently investigating the cause of the excess of ammonia emissions from Source #1 that were indicated in a source test on June 25, 2015, have scheduled a re-test and, if any problem is identified, will promptly address it.
- D. Applicant requested a variance period of June 29, 2015, at 4:17 p.m., to July 29, 2015, at 4:16 p.m. (30 days) and estimates the following excess emissions during that period:

Ammonia

(Unknown, if any) lbs/day

- E. Compliance is beyond Applicant's reasonable control.
- F. Closing down Applicant's operation could result in an inability to supply critically needed additional electricity in the Bay Area during the current summer period.
  - G. The Applicant does meet the good cause standard for issuance of an EV.

THEREFORE, THE HEARING BOARD ORDERS:

An Emergency Variance from Regulation 2, Rule 1, Section 307; Regulation 2, Rule 6, Section 307; and Permit Condition #20136, Parts 198.2. and 23.b., be and is hereby granted from June 29, 2015, at 4:17 p.m., to July 29, 2015, at 4:16 p.m., subject to Applicant taking more detailed source tests in the week ahead and paying all applicable fees.

Applicant shall monitor emissions and report them to the Air District.

Rolf Lindenhayn, Esq.

Vice-Chairperson, Hearing Board

7/5/2015 Date

## 1 BEFORE THE HEARING BOARD OF THE 2 BAY AREA AIR QUALITY MANAGEMENT DISTRICT STATE OF CALIFORNIA 3 4 5 Docket No.: 3675 In the Matter of the Application of 6 CERTIFICATE OF SERVICE CREED ENERGY CENTER, LLC, 7 For Emergency Variance from Regulation 2, 8 Rule 1, Section 307; Regulation 2, Rule 6, Section 307; and Permit Condition #20136, 9 Parts 198.2. and 23.b. (Site #B4414). 10 STATE OF CALIFORNIA 11 SS. City and County of San Francisco 12 I, Sean Gallagher, do hereby certify under penalty of perjury as follows: 13 That I am a citizen of the United States, over the age of eighteen years and not a party 14 to the above entitled action; that I served a true copy of the attached Order Granting 15 Emergency Variance on: 16 Barbara McBride 17 **Calpine Corporation** c/o Creed Energy Center LLC 18 6150 Creed Road Suisun City, CA 94585 19 20 by depositing same in the United States certified mail, return receipt requested on July 21, 2015; and on 21 **Brian Bunger** Bay Area Air Quality Management District 22 939 Ellis Street, 7<sup>th</sup> Floor 23 San Francisco, CA 94109 24 by hand-delivery deposit of same in the in-box of the District Counsel's office, on July 21, 25 2015. 26 DATED: July 21, 2015 27 Sean Gallagher 28 Clerk of the Boards