

1 **BEFORE THE ARIZONA POWER PLANT**
2 **AND TRANSMISSION LINE SITING COMMITTEE**

3 In the matter of the Application of Salt)
4 River Project Agricultural Improvement and)
5 Power District in conformance with the)
6 requirements of Arizona Revised Statutes) Case No. 105
7 Sections 40-360-03 and 40-360.06, for a) Docket No. L-00000B-00-0105-00000
8 Certificate of Environmental Compatibility)
9 authorizing the Expansion of its Santan)
10 Generating Station, located at the intersection) Decision No. _____
11 of Warner Road and Val Vista Drive,)
12 in Gilbert, Arizona, by adding 825 megawatts)
13 of new capacity in the form of three combined)
14 cycle natural gas units, and associated)
15 intraplant transmission lines.)
16 _____)

17 **CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY**

18 Pursuant to notice given as provided by law, the Arizona Power Plant and
19 Transmission Line Siting Committee (the "Committee") held public hearings at the
20 Dobson Ranch Inn, 1644 South Dobson Road, Mesa, Arizona, on September 14, 2000,
21 and various days following, in conformance with the requirements of Arizona Revised
22 Statutes section 40-360 *et seq.*, for the purpose of receiving evidence and deliberating
23 on the Application of Salt River Project Agricultural Improvement and Power District
24 ("Applicant") for a Certificate of Environmental Compatibility in the above-captioned
25 case (the "Application").

The following members or designees of members of the Committee were present
for the hearing on the Application:

Paul A. Bullis Chairman, Designee for Arizona Attorney General Janet Napolitano

Steve Olea Designee of Chairman of the Arizona Corporation Commission

1	Richard Tobin	Designee for the Arizona Department of Environmental Quality
2		
3	Dennis Sundie	Designee for the Director of the Department of Water Resources
4		
5	Mark McWhirter	Designee for the Director of the Energy Office of the Arizona Department of Commerce
6		
7	George Campbell	Appointed Member
8	Jeff Mcguire	Appointed Member
9	A. Wayne Smith	Appointed Member
10	Sandie Smith	Appointed Member
11	Mike Whalen	Appointed Member

12 The Applicant was represented by Kenneth C. Sundlof, Jr., Jennings, Strouss &
13 Salmon PLC. There were seventeen intervenors: Arizona Utilities Investor Association,
14 by Ray Heyman; Arizona Corporation Commission Staff, by Janice Alward; Arizona
15 Center for Law in the Public Interest, by Timothy Hogan, Mark Kwiat, Elisa Warner,
16 David Lundgreen, Cathy LaTona, Sarretta Parrault, Mark Sequeira, Cathy Lopez,
17 Michael Apergis, Marshal Green, Charlie Henson, Jennifer Duffany, Christopher
18 Labban, Bruce Jones and Dale Borger. There were a number of limited appearances.

19 The Arizona Corporation Commission has considered the grant by the Power
20 Plant and Line Siting Committee of a Certificate of Environmental Compatibility to SRP
21 and finds that the provisions of A.R.S. §40-360.06 have complied with, and, in addition,
22 that documentary evidence was presented regarding the need for the Santan Expansion
23 Project. Credible testimony was presented concerning the local generation deficiency in
24 Arizona and the need to locate additional generation within the East Valley in order to
25 minimize transmission constraints and ensure reliability of the transmission grid. The

1 evidence included a study that assessed the needs of the East Valley. The analysis
2 found that the East Valley peak load currently exceeds the East Valley import capability
3 and within the next 5 years the East Valley load will exceed the load serving capability.

4 Additional testimony was presented regarding SRP's projected annual 3.7% load
5 growth in its service territory. By 2008, SRP will need approximately 2700 MW to meet
6 its load. This local generation plant will have power available during peak periods for
7 use by SRP customers.

8
9 At the conclusion of the hearing and deliberations, the Committee, having
10 received and considered the Application, the appearance of Applicant and all
11 intervenors, the evidence, testimony and exhibits presented by Applicant and all
12 intervenors, the comments made by persons making limited appearances and the
13 comments of the public, and being advised of the legal requirements of Arizona Revised
14 Statutes Sections 40-360 to 40-360.13, upon motion duly made and seconded, voted to
15 grant Applicant the following Certificate of Environmental Compatibility (Case No. L-
16 00000B-00-0105):

17 Applicant and its assignees are granted a Certificate of Environmental
18 Compatibility authorizing the construction of an 825 megawatt generating facility
19 consisting of three combined cycle units with a total net output of 825 megawatts
20 together with related infrastructure and appurtenances, in the Town of Gilbert, on
21 Applicant's existing Santan Generating Station site, and related switchyard and
22 transmission connections, as more specifically described in the Application (collectively,
23 the "Project"). Applicant is granted flexibility to construct the units in phases, with
24 different steam turbine configurations, and with different transmission connection
25

1 configurations, so long as the construction meets the general parameters set forth in the
2 application.

3
4 This certificate is granted upon the following conditions:

- 5 1. Applicant shall comply with all existing applicable air and water pollution
6 control standards and regulations, and with all existing applicable
7 ordinances, master plans and regulations of the State of Arizona, the
8 Town of Gilbert, the County of Maricopa, the United States, and any other
9 governmental entities having jurisdiction.

10 ***Status ~ The Santan Power Plant complies with all applicable air and
11 water pollution control standards and permits issued under applicable
12 regulations. Those regulations, permits and standards authorize the
13 regulatory agency with jurisdiction to issue various notices to correct
14 and notices of violation, some of which are then referred to
15 enforcement for the issuance of a penalty or fine. Because the
16 issuance of a notice to correct or notice of violation is not the final
17 determination of the regulatory agency regarding regulatory
18 compliance, SRP will report all NOVs that result in a fine or penalty.***

19 ***Maricopa County was delegated authority by EPA to issue and
20 administer air quality permits consistent with federal regulations.
21 Maricopa County has a unified permitting program, which allows the
22 County to issue a single permit for pre-construction approval of new
23 sources and ongoing operating requirements. SRP received a permit
24 from Maricopa County in 2002 that included a requirement to obtain
25 emission offsets for PM10 and Volatile Organic Compounds (VOCs).
The PM10 offset requirement included a stipulation that SRP would
comply with a future Maricopa County rule on PM10 emission offsets
from road paving prior to operating the plant. Under an agreement with
Maricopa County Department of Transportation, SRP paid for the
pavement of dirt roads well in advance of the new units becoming
operational. Because Maricopa County Environmental Services
Department had not yet initiated any action on a PM10 offset
rulemaking, SRP applied for and received a minor permit revision from
Maricopa County in December 2003 that allowed SRP to pave roads to
secure sufficient PM10 offsets consistent with current protocols and
then demonstrate compliance with a new County road paving offset rule
within months of the rule becoming final.***

***While SRP has constructed and operated the plant in compliance with
all substantive requirements of its air quality permit with Maricopa
County, EPA issued a Notice of Violation (NOV) alleging that the
issuance of the permit to SRP by Maricopa County was invalid on***

1 **procedural grounds relating to the County's inability to issue SRP a**
2 **minor permit revision for offsets and the lack of County rule-making on**
3 **offsets. SRP elected to resolve this issue with EPA pursuant to a**
4 **Consent Agreement and Final Order (CAFO) dated September 27, 2007,**
5 **because it believed the fundamental dispute was between EPA and**
6 **Maricopa County, and not with SRP. SRP did not admit to the specific**
7 **allegations made by EPA.**

8 **Pursuant to the CAFO, SRP paid a civil administrative penalty of**
9 **\$12,500 and will either perform a Supplemental Environmental Project**
10 **consisting of the paving of a previously unpaved road at a cost of at**
11 **least \$37,500 or will pay EPA \$37,500 if the Supplemental Environmental**
12 **Project cannot be completed. EPA is now processing the new County**
13 **rule for offsets. Under the new County PM10 offset rule, SRP will not be**
14 **required to obtain additional PM10 offsets for Santan to conform to the**
15 **new rule.**

- 16 2. This authorization to construct the Project will expire five (5) years from
17 the date the Certificate is approved by the Arizona Corporation
18 Commission unless construction of the Project is completed to the point
19 that the project is capable of operating at its rated capacity; provided,
20 however, that Applicant shall have the right to apply to the Arizona
21 Corporation Commission for an extension of this time limitation.

22 **Status ~ Unit 6 was declared in commercial operation on March 1, 2006.**
23 **Unit 5 (the 2-on-1 units) began commercial operation on April 1, 2005.**
24 **With the completion of Unit 6, the Santan Expansion Project is**
25 **complete. SRP constructed the Project within the five year timeframe**
 and has satisfied this condition of the CEC.

3. Applicant's project has two (2) approved transmission lines emanating
 from its power plant's transmission switchyard and interconnecting with
 the existing transmission system. This plant interconnection must satisfy
 the single contingency criteria (N-1) without reliance on remedial action
 such as a generator unit tripping or load shedding.

Status ~ SRP has completed the activity required by this condition.

4. Applicant shall use reasonable efforts to remain a member of WSCC, or
 its successor, and shall file a copy of its WSCC Reliability Criteria
 Agreement or Reliability Management System (RMS) Generator
 Agreement with the Commission.

Status ~ SRP is a member of the WECC, the successor to the WSCC,
 and plans to continue its membership with the WECC.

- 1 5. Applicant shall use reasonable efforts to remain a member of the
2 Southwest Reserve Sharing Group, or its successor.

3 ***Status ~ SRP is a member of the Southwest Reserve Sharing Group and
4 plans to continue its membership.***

- 5 6. Applicant shall meet all applicable requirements for groundwater set forth
6 in the Third Management Plan for the Phoenix Active Management Area.

7 ***Status ~ SRP has complied with all requirements for groundwater, as
8 set forth in the Third Management Plan for the Phoenix Active
9 Management Area.***

- 10 7. With respect to landscaping and screening measures, including the
11 improvements listed in the IGA, Applicant agrees to develop and
12 implement a public process consistent with the process chart (Exhibit 89)
13 presented during the hearings, modifying the dates in the IGA with the
14 Town of Gilbert, if necessary, to correspond with the schedule in Exhibit
15 89.

16 The new Community Working Group (CWG) will consist of 12 members,
17 selected as follows: one member selected by the Town of Gilbert, four
18 members selected by neighborhood homeowner associations, four
19 representatives selected by intervenors, and three members selected by
20 SRP (not part of the aforementioned groups) who were part of the original
21 community working group. Applicant and landscaping consultants shall
22 act as advisors to the CWG. CWG meetings shall be noticed to and be
23 open to the general public. The initial meeting shall take place on an
24 evening or weekend in the Town of Gilbert.

25 The objective of the CWG shall be to refine the landscaping and mitigation
concept plans submitted during these hearings (Exhibit 88). The CWG shall
work to achieve appropriate visual mitigation of plant facilities and to
facilitate the design and installation of the concept plan components so as to
maximize the positive impact on the community and to increase, wherever
possible, the values of the homes in the neighboring areas. The refinement
of the mitigation plans shall be reasonably consistent with the planning
criteria of the Town of Gilbert, the desires of neighboring homeowner
associations, and the reasonable needs of Applicant.

Applicant shall retain an independent facilitator, acceptable to the CWG, to
conduct the CWG meetings. It shall be the role of the facilitator to assist in
initial education and in conducting an orderly and productive process. The
facilitator may, if necessary, employ dispute resolution mechanisms.

The CWG shall also assist in establishing reasonable maintenance

1 schedules for landscaping of Applicant's plant site in public-view areas.

2 Applicant will develop with the Town of Gilbert a continuous fund, to be
3 administered by the Town of Gilbert, to provide for the construction and
4 maintenance of off-site landscaping in the areas depicted in the off-site
5 landscaping concepts as developed by the CWG in an amount sufficient to
6 fund the concepts in Exhibit 88 or concepts developed by the CWG,
7 whichever is greater.

8 **Status ~**

9 **Onsite Landscaping Program ~**

10 ***SRP has completed all of the landscaping at the site. A new gate in the
11 northeast corner of the site was installed in September 2007.***

12 ***The "Trails Area" (equestrian and bike trail) to the east of the power
13 plant is complete. SRP transferred ownership of the Trails Area to the
14 Town of Gilbert on September 13, 2005.***

15 **Home Owners' Association (HOA) Offsite Landscaping Program ~**

16 ***SRP has completed the initial funding for this program, providing a one-
17 time payment to eighteen (18) HOAs in the area for use in providing
18 additional landscaping to help mitigate views of the power plant.***

19 ***Under the program, SRP committed to making future annual payments
20 of \$49,884 to the HOAs for offsite landscaping maintenance for a period
21 of twenty (20) years, beginning in September 2004. In August 2008 SRP
22 submitted a check for its fifth annual maintenance payment of \$49,884
23 to the Town of Gilbert for disbursement to the 18 HOAs. A copy of the
24 cover letter sent to the Town of Gilbert is included in Appendix A.***

25 **Individual County Landscaping Program ~**

SRP has completed this program.

8. The visual mitigation efforts shall be in general compliance with the plans and concepts presented in these proceedings and constitute a commitment level by Applicant. Applicant will not reduce the overall level of mitigation as set forth in its Application and this proceeding, except as may be reasonably changed during the CWG process. The Town of Gilbert shall approve the plans agreed to by the CWG.

Status ~ ***SRP has satisfied the visual mitigation requirements as initially set forth in the Application and the proceeding and further refined and expanded during the CWG process. SRP's mitigation efforts also include the items specified in the SRP/Town of Gilbert Intergovernmental Agreement.***

1 9. Applicant shall, where reasonable to do so, plant on site trees by the fall of
2 2001. Because planting of trees must await the improvement of Warner
3 Road and the design and construction of berms, this condition will largely
4 apply to trees on the East side of the site, and some of the trees on the
5 North side. All landscaping will be installed prior to the installation of major
6 plant equipment such as, but not limited to, exhaust stacks, combustion
7 turbines, and heat recovery steam generators, except where delays are
8 reasonably necessary to facilitate construction activities.

9 ***Status ~ As noted in condition 7, all of the landscaping work at the site
10 has been completed.***

11 10. Applicant shall operate the Project so that during normal operations the
12 Project shall not exceed the most restrictive of applicable (i) HUD residential
13 noise guidelines, (ii) EPA residential noise guidelines, or (iii) applicable City
14 of Tempe standards. Additionally, construction and operation of the facility
15 shall comply with OSHA worker safety noise standards. Applicant agrees
16 that it will use its best efforts to avoid during nighttime hours construction
17 activities that generate significant noise. Additionally, Applicant agrees to
18 comply with the standards set forth in the Gilbert Construction Noise
19 Ordinance, Ordinance No. 1245, during construction of the project. In no
20 case shall the operational noise level be more than 3 db above background
21 noise as of the noise study prepared for this application. The Applicant shall
22 also, to the extent reasonably practicable, refrain from venting between the
23 hours of 10:00 p.m. and 7:00 a.m.

24 ***Status ~ SRP remains in compliance with all applicable noise guidelines
25 and standards. Throughout construction of the project, SRP took noise
readings at various locations along the plant boundary three times per
week to ensure compliance with noise guidelines and standards. SRP
also conducted additional noise testing during nighttime construction
activities, such as concrete pours.***

***Since Unit 5 began commercial operation on April 1, 2005, plant
personnel have been conducting additional off-site noise testing at the
sites designated by the Santan Neighborhood Committee (SNC) on the
north, east and south sides of the plant boundaries. The SNC is
responsible for establishing the locations, timing and frequency of the
off-site noise tests. At the February 20, 2008 SNC meeting, the SNC
recommended that SRP discontinue taking off-site noise readings
because all of the readings so far indicated that the plant does not
contribute to ambient noise in the neighborhoods where measurements
were being taken. As a result of this SNC recommendation, off-site
noise testing by SRP has been discontinued. For more information on
the SNC, please refer to condition 19.***

1 11. Applicant will work with the Gilbert Unified School District to assist it in
2 converting as many as possible of its school bus fleet to green diesel or
3 other alternative fuel, as may be feasible and determined by Gilbert Unified
4 School District, and will contribute a minimum of \$330,000 to this effort.

5 **Status ~ SRP has completed the activity required by this condition.**

6 12. Applicant shall actively work with all interested Valley cities, including at a
7 minimum, Tempe, Mesa, Chandler, Queen Creek and Gilbert, to fund a
8 Major Investment Study through the Regional Public Transit Authority to
9 develop concepts and plans for commuter rail systems to serve the growing
10 population of the East Valley. Applicant will contribute a maximum of
11 \$400,000 to this effort.

12 **Status ~ Phase 2 of the Gilbert Transportation Study (the Gilbert Bicycle
13 & Pedestrian Plan) is complete. The Gilbert Transportation Study was
14 developed to integrate with the Maricopa Association of Government's
15 (MAG) Transit Study. The final Plan and Development Guidelines were
16 submitted and accepted by the Town of Gilbert.**

17 ***Phase 3 of the Plan is to implement portions of the study by building
18 bridges over key canal modal points for connectivity. The consulting
19 firm of NFra was selected to design the bridges on behalf of the Town of
20 Gilbert. The bridge design is in its final stages. The next milestone to
21 be completed is the final award for the bridge construction.***

22 13. Within six months of approval of this Order by the Arizona Corporation
23 Commission, Applicant shall either relocate the gas metering facilities to the
24 interior of the plant site or construct a solid wall between the gas metering
25 facilities at the plant site and Warner Road. The wall shall be of such
strength and size as to deflect vehicular traffic (including a fully loaded
concrete truck) that may veer from Warner Road to the gas-metering site.

Status ~ SRP has completed the activity required by this condition.

19 14. Applicant will use only SRP surface water, CAP water or effluent water for
20 cooling and power plant purposes. The water use for the plant will be
21 consistent with the water plan submitted in this proceeding and acceptable
22 to the Department of Water Resources. Applicant will work with the Town of
23 Gilbert to attempt to use available effluent water, where reasonably feasible.

24 **Status ~ Through September 2008, SRP has delivered a total of 111,253
25 acre feet of CAP water to GRUSP. In addition, SRP has delivered 22,905
acre feet of CAP water to the New River - Agua Fria Underground
Storage Project (NAUSP). Total CAP water delivered for storage is
134,158 acre feet. CAP water is stored for future use via recovery from
any SRP owned wells (Association or District) and delivered to SEP**

1 *from the Eastern Canal (or onsite District wells). SRP will continue to*
2 *store CAP water in GRUSP and NAUSP through 2011 for recovery and*
3 *use. To meet ongoing operational water demands, SEP continues to*
use SRP surface water and CAP water (both directly and via recovery of
storage credits from SRP owned wells).

- 4 15. Applicant agrees to comply with all applicable federal, state and local
5 regulations relative to storage and transportation of chemicals used at the
6 plant.

7 ***Status ~ SRP is in compliance with all applicable federal, state and local***
8 ***regulations relative to storage and transportation of chemicals used at***
9 ***the plant.***

- 10 16. Applicant agrees to maintain on file with the Town of Gilbert safety and
11 emergency plans relative to emergency conditions that may arise at the
12 plant site. On at least an annual basis Applicant shall review and update, if
13 necessary, the emergency plans. Copies of these plans will be made
14 available to the public and on Applicant's web site. Additionally Applicant
15 will cooperate with the Town of Gilbert to develop an emergency notification
16 plan and to provide information to community residents relative to potential
17 emergency situations arising from the plant or related facilities. Applicant
18 agrees to work with the Gilbert police and fire departments to jointly develop
19 on site and off-site evacuation plans, as may be reasonably appropriate.
20 This cooperative work and plan shall be completed prior to operation of the
21 plant expansion.

22 ***Status ~ SRP is in compliance with all safety standards including***
23 ***secondary containment for bulk materials (chemicals) and development***
24 ***of evacuation procedures for plant personnel. The plant's Emergency***
25 ***Response/Contingency Plan is available on the Santan website.***
Additionally, a detailed copy of the Emergency Response plan is available
at the Town of Gilbert Fire Department as well as with the State
Emergency Response Commission (SERC) and the Maricopa County
Local Emergency Planning Committee (LEPC).

- 26 17. In obtaining air offsets required by EPA and Maricopa County, Applicant will
27 use its best efforts to obtain these offsets as close as practicable to the plant
28 site.

29 ***Status ~ SRP acquired emission reduction credits from the Phoenician***
30 ***and Oak Canyon Manufacturing sufficient to satisfy the 72 ton VOC***
31 ***offset requirement contained in the Santan air quality permit. In***
32 ***addition, SRP, in cooperation with the Maricopa County Department of***
33 ***Transportation (MCDOT), has obtained sufficient PM10 offsets for Units***
34 ***5 and 6 by paving roads in the east valley, starting with roads closest to***
35 ***the plant site.***

All required offsets have been met for the Santan Expansion Project.

- 1
2 18. In order to reduce the possibility of generation shortages and the attendant
3 price volatility that California is now experiencing, SRP will operate the
4 facilities consistent with its obligation to serve its retail load and to maintain a
5 reliable transmission system within Arizona.

Status ~ SRP's first priority in operating its generating stations, transmission system and distribution system is to safely supply a reliable, low cost source of power to its retail customers. The Santan Expansion Project will be operated in the same manner as current resources and is a significant element in SRP's plans to avoid the kind of price volatility that accompanied the California crisis.

- 6
7
8 19. Beginning upon operation of the new units, Applicant will establish a citizens'
9 committee, elected by the CWG, to monitor air and noise compliance and
10 water quality reporting. Applicant will establish on-site air and noise
11 monitoring facilities to facilitate the process. Additionally Applicant shall
12 work with Maricopa County and the Arizona Department of Environmental
13 Quality to enhance monitoring in the vicinity of the plant site in a manner
14 acceptable to Maricopa County and the Arizona Department of
15 Environmental Quality. Results of air monitoring will be made reasonably
16 available to the public and to the citizens' committee. Applicant shall provide
17 on and off-site noise monitoring services (at least on a quarterly basis),
18 testing those locations suggested by the citizens' committee. The off-site air
19 monitoring plan shall be funded by the Applicant and be implemented before
20 operation of the plant expansion.

Status ~ The Santan Neighborhood Committee (SNC) held a meeting on May 14, 2008. Three of the six representatives of the surrounding neighborhoods were present. Santan personnel provided additional monthly data on emissions and water discharges since the last meeting. SRP personnel presented the final report on the SRP Ambient Air Monitoring Station that has been in operation over the past four years. The committee recommended that SRP discontinue recording data from this station because sufficient data has been collected. The committee further recommended that the station be removed by SRP. The committee elected Ivy Gilio as Chairman of the committee. The next meeting of the Santan Neighborhood committee is scheduled for November 12, 2008.

- 21
22 20. Applicant will explore, and deploy where reasonably practicable, the use of
23 available technologies to reduce the size of the steam plumes from the unit
24 cooling towers. This will be a continuing obligation throughout the life of the
25 plant.

1 ***Status*** ~ SRP explored the option of reduced plume cooling towers via
2 ***the specification and bidding process for this equipment but found the***
3 ***limited availability, prohibitive cost and additional height requirements***
4 ***of the plume abatement technology to supersede the potential benefits***
5 ***at this time. SRP continues to monitor cooling tower technology and***
6 ***has found no proven methods that would be feasible for use at SEP.***
7 ***However, SRP is funding a research project with ASU to determine the***
8 ***feasibility of a new method to reduce the plume in cooling towers. If***
9 ***this project is successful and if the results can be applied to the type of***
10 ***cooling towers at SEP, SRP will consider this new technology for***
11 ***inclusion at SEP. This project is in the beginning stages and if***
12 ***successful, it would be a number of years before it could be***
13 ***implemented at SEP.***

- 14 21. SRP will, where practicable, work with El Paso Natural Gas Company to use
15 the railroad easements for the installation of the new El Paso gas line.

16 ***Status*** ~ SRP completed the sale of the SEP gas pipeline to El Paso
17 ***Natural Gas Company and Transwestern Pipeline Company.***

- 18 22. Other than the Santan/RS 18 lines currently under construction, Applicant
19 shall not construct additional Extra High Voltage transmission lines (115kV
20 and above) into or out of the Santan site, including the substation on the site.

21 ***Status*** ~ SRP will not construct additional Extra High Voltage
22 ***transmission lines (no new circuits 115kV and above) into or out of the***
23 ***Santan site or substation on the site. However, some of the existing***
24 ***circuits may be bundled in the future.***

- 25 23. Applicant will replace all Town of Gilbert existing street sweepers with
26 certified PM10 efficient equipment. A PM10 efficient street sweeper is a
27 street sweeper that has been certified by the South Coast Air Quality
28 Management District (California) to comply with the District's performance
29 standards under its Rule 1186 (which is the standard referenced by the
30 Maricopa Association of Governments).

31 ***Status*** ~ SRP has completed the activity required by this condition.

- 32 24. Applicant shall work in a cooperative effort with the Office of Environmental
33 Health of the Arizona Department of Health Services to enhance its
34 environmental efforts.

35 ***Status*** ~ A representative of the Arizona Department of Health Services
36 ***serves on the Santan Neighborhood Committee. The representative's***
37 ***role is to provide technical assistance and expertise to the citizens***
38 ***committee mentioned in condition 19. Such assistance will cover air,***
39 ***noise, and water quality issues.***

1 25. Applicant shall operate, improve and maintain the plant consistent with
2 applicable environmental regulations and requirements of the Environmental
3 Protection Agency, the Arizona Department of Environmental Quality,
4 Maricopa County and the Town of Gilbert.

5 ***Status ~ SRP has an environmental management system (EMS)***
6 ***designed to assure compliance with applicable laws and regulations.***
7 ***The Santan Generating Station is integrated in the SRP EMS.***
8 ***Procedures and Environmental Information Management Systems***
9 ***(EIMS) have been modified to incorporate the new requirements***
10 ***associated with the Santan Expansion Project. Plant personnel***
11 ***responsible for meeting environmental compliance have received***
12 ***training on the new requirements. SRP continues to implement its EMS***
13 ***to ensure continued compliance with all applicable environmental***
14 ***regulations and requirements.***

15 ***For additional information on SRP's efforts to comply with federal,***
16 ***state, county and city environmental regulations, please refer to***
17 ***condition 1.***

18 26. Applicant shall actively work in good faith with Maricopa County in its efforts
19 to establish appropriate standards relative to the use of distillate fuels in
20 Valley generating facilities.

21 ***Status ~ SRP has completed the activity required by this condition.***

22 27. Applicant shall install continuous emission monitoring equipment on the new
23 units and will make available on its website emissions data from both the
24 existing and new units according to EPA standards. Applicant shall provide
25 information to the public on its website in order to assist the public in
interpreting the data, and provide viable information in a reasonable time
frame.

Status ~ SRP has installed continuous emission monitoring equipment
on the new units. Information on the continuous emission monitoring
equipment and the emissions data is available on the website for the
SEP.

26 28. Applicant will comply with the provisions of the Intergovernmental
27 Agreement dated April 25, 2000 between Applicant and the Town of Gilbert,
28 as modified pursuant to this Certificate.

29 ***Status ~ There are eight SRP obligations noted in the IGA, all of which***
30 ***have been completed. A description of each obligation follows:***

31 ***Improvements to Warner Road and Val Vista Road ~ These***
32 ***improvements are complete.***

Screening of the Plant ~ All of the screening is complete.

Trail Extension ~ In the "Trails Area" to the east of the power plant, work is complete. The "Trails Area" includes a horse trail, unpaved equestrian resting areas complete with benches for the horse's rider, and a shared use path, surrounded by decorative masonry walls, path lighting, and new plantings of trees and shrubs.

Rerouting of Canal at Ray Road ~ This canal modification is complete.

Training Tower Removal ~ This training tower was removed in the fall of 2000.

Revegetation Along New RS 18 Line ~ SRP has restored any vegetation damaged or destroyed along the RS 18 line as a result of the construction of the line.

Dust Control Along Canals ~ SRP is in compliance with applicable PM-10 standards along SRP canal banks.

Offsite Tree Planting ~ The offsite landscaping programs are complete. See Condition 7 status for more details.

29. During the proceeding neighbors to the plant site raise significant concern about the impact of the plant expansion on residential property values. In performing each of the conditions in this order Applicant, in conjunction where applicable, with the Town of Gilbert and the plant site neighbors, shall consider and attempt to maximize the positive effect of its activities on the values of the homes in the surrounding neighborhoods.

Status ~ SRP has invested \$20 million in community and site improvements, including extensive landscaping to ensure compatibility with the community. Conditions 7, 9 and 28 address SRP's comprehensive landscaping plan that was developed by SRP's landscape architect and approved by the CWG. All of the landscaping at the project site has been completed and funding for off-site landscaping has been completed as well. The landscaping provides attractive features and was designed to maximize the positive effect on the surrounding neighborhoods.

30. Applicant shall construct the auxiliary boiler stack at such height as may be determined by air modeling requirements. Applicant shall situate the auxiliary boiler stack so that it is not visible from off the plant site.

Status ~ This condition is no longer applicable as SRP decided not to use an auxiliary boiler so no auxiliary boiler stack will be necessary.

1 31. Applicant will construct the heat recovery steam generators (“HRSG”) approximately 15 feet below grade and will construct the HRSGs so that the
2 overall height of the HRSG module from the natural grade is no more than
3 80 feet.

4 **Status ~ SRP has completed the activity required by this condition.**

5 32. Applicant will complete the installation of the dry low NOX burners on the
6 existing units prior to the construction of the new units.

7 **Status ~ SRP has completed the activity required by this condition.**

8 33. Applicant shall not transfer this Certificate to any other entity for a period of
9 20 years from the date of approval by the Corporation Commission, other
10 than as part of a financing transaction where operational responsibilities will
11 remain with Applicant, and where Applicant will continue to operate the plant
12 in accordance with this Certificate.

13 **Status ~ SRP has no plans to transfer this Certificate to another entity.**

14 34. Applicant shall post on its website, when its air quality permit application is
15 submitted to the Maricopa County Environmental Services Department.
16 Also, Applicant shall post on its website any official notice that may be
17 required to be posted in newspapers for its air quality permit application.

18 **Status ~ SRP has completed the activity required by this condition.**

19 GRANTED this ___ day of February, 2001

20 ARIZONA POWER PLANT AND TRANSMISSION
21 LINE SITING COMMITTEE

22 _____
23 By Paul A. Bullis
24 Its Chairman

25 **BEFORE THE ARIZONA CORPORATION COMMISSION**

In the matter of the Application of Salt)
River Project Agricultural Improvement and)
Power District in conformance with the)
requirements of Arizona Revised Statutes)
Sections 40-360-03 and 40-360.06, for a) Case No. 105

1 Certificate of Environmental Compatibility)
authorizing the Expansion of its Santan)
2 Generating Station, located at the intersection)
of Warner Road and Val Vista Drive,)
3 in Gilbert, Arizona, by adding 825 megawatts)
4 of new capacity in the form of three combined)
cycle natural gas units, and associated)
5 intraplant transmission lines.)
_____)

Docket No. L-00000B-00-0105

Decision No. _____

6
7 The Arizona Corporation Commission (Commission) has conducted its review, as
8 prescribed by A.R.S. §40-360.07. Pursuant to A.R.S. §40-360.07(B), the Commission,
9 in compliance with A.R.S. §40-360.06, and in balancing the broad public interest, the
10 need for an adequate, economical and reliable supply of electric power with the desire
11 to minimize the effect thereof on the environment and ecology of the state;

12 The Commission finds and concludes that the Certificate of Environmental
13 Compatibility should be granted upon the additional and modified conditions stated
14 herein.

- 15 35. The Santan Expansion Project shall be required to meet the Lowest
16 Achievable Emission rate (LAER) for Carbon Monoxide (CO), Nitrogen
17 Oxides (Nox), Volatile Organic Carbons (VOCs), and particulate Matter
18 less than ten micron in aerodynamic diameter (PM10). The Santan
Expansion Project shall be required to submit an air quality permit
application requesting this LAER to the Maricopa County Environmental
Services Department.

19 ***Status ~ On February 10, 2003 the Maricopa County Environmental***
20 ***Services Department issued an air quality permit for the Santan***
21 ***Expansion Project. The air permit mandates the following Lowest***
Achievable Emission Rates (LAER):

- 22 • ***CO – 2 ppm w/o duct firing; 2 ppm w/ duct firing***
23 • ***NOx – 2 ppm w/o duct firing; 2 ppm w/ duct firing***
24 • ***VOC – 1 ppm w/o duct firing; 2 ppm w/ duct firing***
25 • ***PM10 - .01 lb/mmBtu***

1 36. Due to the plant's location in a non-attainment area, the Applicant shall not
2 use diesel fuel in the operation of any combustion turbine or heat recovery
steam generator located at the plant.

3 **Status ~ Since the issuance of the ACC order for the SEP Certificate of**
4 **Environmental Compatibility, SRP has not burned diesel fuel in the**
5 **existing Santan generating units. The new generating units associated**
6 **with the SEP do not have diesel fuel-burning capability.**

7 **On March 3, 2004, the Maricopa County Environmental Services**
8 **Department, now the Maricopa County Air Quality Department**
9 **(MCAQD), issued a revision to SRP's air quality permit to allow for the**
10 **use of ultra low sulfur fuel as an emergency fuel in the existing units.**
11 **The conditions in the air quality permit are identical to the requirements**
12 **for emergency fuels contained in Maricopa County's new air quality rule**
13 **for existing power plants (Rule 322), with the exception of the**
14 **requirement that SRP use ultra low sulfur fuel rather than low sulfur**
15 **fuel. In addition, the revised air permit includes a separate condition**
16 **stating that SRP cannot use the fuel unless previously authorized by**
17 **the ACC. SRP will continue to fully comply with Condition 36 of the**
18 **CEC that prohibits the use of diesel fuel in any Santan unit unless**
19 **amended by the ACC on an emergency basis at some future time.**

20 37. In obtaining emissions reductions related to Carbon Monoxide (CO)
21 emissions, Applicant shall, where technologically feasible, obtain those
22 emission reductions onsite to the Santan Expansion Project.

23 **Status ~ SRP has completed the activity required by this condition.**

24 38. Beginning upon commercial operation of the new units, Applicant shall
25 conduct a review of the Santan Generating facility operations and
equipment every five years and shall, within 120 days of completing such
review, file with the Commission and all parties in this docket, a report
listing all improvements which would reduce plant emissions and the costs
associated with each potential improvement. Commission Staff shall
review the report and issue its findings on the report, which will include an
economic feasibility study, to the Commission within 60 days of receipt.
Applicant shall install said improvements within 24 months of filing the
review with the Commission, absent an order from the Commission
directing otherwise.

Status ~ SRP will comply with the requirement for a review of
technology that will reduce plant emissions every 5 years after
commercial operation of the new units and will report such findings to
the Commission and all parties in this docket.

1 39. Applicant shall provide \$20,000 to the Pipeline Safety Revolving Fund on
2 an annual basis, thus improving the overall safety of pipelines throughout
3 the State of Arizona.

4 ***Status ~ In March 2008, a check for \$20,000 was sent to the Arizona
5 Corporation Commission, for deposit in the Pipeline Safety Revolving
6 Fund. This check satisfies compliance with this condition for the year
7 ending April 30, 2008. Subsequent checks will be distributed in the
8 March/April timeframe each year.***

9 40. Where feasible, Applicant shall strive to incorporate local and in-state
10 contractors in the construction of the three new generation units for the
11 expansion project.

12 ***Status ~ Every effort was made to incorporate local contractors for this
13 project. Over one hundred-eleven local or in-state contractors were
14 used on this project.***

15 41. Applicant shall construct a 10-foot high block wall surrounding the
16 perimeter of the Santan plant, and appropriately landscape the area
17 consistent with the surrounding neighborhood, unless otherwise agreed to
18 by the Salt River Project and the Citizens Working Group.

19 ***Status ~ SRP has completed the activity required by this condition.***

20 **APPROVED AS AMENDED BY ORDER OF THE ARIZONA CORPORATION
21 COMMISSION**

22 _____
23 Chairman

24 _____
25 Commissioner

_____ Commissioner

In Witness hereof, I, Brian C. McNeil,
Executive Secretary of the Arizona
Corporation Commission, set my hand
and cause the official seal of this
Commission to be affixed this ____ day
of _____, 2001.

By: _____
Brian C. McNeil
Executive Secretary

Dissent: _____