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Office of The Attorney General
Environmental Enforcement Section
1275 West Washington Street
Phoenix, Arizona 85007-2926



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INTEROFFICE MEMORANDUM

TO: Docket Control
Arizona Corporation Commission

FROM: Laurie A. Woodall *LAW (TMP)*
Chairman
Arizona Power Plant & Transmission Line Siting Committee

DATE: November 5, 2001

RE: Allegheny - La Paz Generating Facility, Docket No. 116

Attached is an original and 25 copies of correspondence, dated November 2, 2001, from Mary Dahl, Director of the La Paz County Department of Community Development. Please file the attached correspondence in the above-referenced docket, and distribute.

Thank you.

Enclosures
217792.1

Arizona Corporation Commission
DOCKETED

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La Paz County Department of Community Development
Mary Dahl, Director



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November 2, 2001

Laurie A. Woodall, Chairperson
Power Plant and Transmission Line Siting Committee
Assistant Attorney General, Environmental Enforcement Section
Office of the Attorney General
1275 West Washington
Phoenix, AZ 85007

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LA PAZ COUNTY
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RE: Allegheny Energy Supply La Paz Generating Facility - Siting Committee Case No. 116

Dear Ms. Woodall:

This correspondence is provided as a follow-up to the Committee regarding the Certificate of Environmental Compatibility (CEC) hearing for the proposed La Paz Generating Facility held in Parker on September 4, 2001 to respond to some of the issues raised at that hearing.

One issue that was discussed is how the County might work toward encouraging compatible land uses in the vicinity of a power generating facility. As mentioned in my testimony, the County is embarking on a comprehensive planning effort in compliance with the State Growing Smarter and Growing Smarter Plus legislation. That mandate includes provisions for regulating land use and planning for transportation circulation. The County has selected a consultant to work with us to prepare this plan, which will guide land use development within the County for the next 10 years, at which time, in accordance with current legislation, the plan will either be readopted or revised and adopted. The existing and proposed zoning district classifications in the vicinity of the proposed Allegheny facility will require unique treatment within the structure of the comprehensive planning process and the final plan will ensure compatible zoning and land uses for the project area. It should be noted that consultation with all adjacent counties and, in some cases, municipalities, is a requirement of the Growing Smarter family of legislation. Our plan will include guidance on how such consultation will be carried out with Maricopa County as well as our other neighbors. We have also discussed with Allegheny its proposed CEC condition on continued consultation regarding these subjects and support that condition.

The County has been consulting closely with Allegheny on their hazardous materials handling and response obligations for the proposed facility. Their draft analysis includes a listing of anticipated hazardous materials that may be used at the site as well as other Emergency Response (ER) criteria, including an off-site consequence analysis and a discussion of the ER guidelines that may be applicable to the facility operations. Our review indicates that the draft analysis addresses the applicable portions of Title 29 of the Code of Federal Regulations (CFR)

Laurie A. Woodall
November 2, 2001
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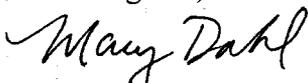
(Employee Emergency Plans and Fire Prevention Plans, Hazardous Waste Operations and Emergency Response, and Process Safety Management of Highly Hazardous Chemicals), 40 CFR (Risk Management Planning in accordance with the Clean Air Act and Emergency Planning and Community Right-To-Know) and Arizona Revised Statutes §26-347 (Facilities Subject to Emergency Planning; Facility Emergency Response Plans). In response to a specific concern about ammonia, Allegheny has conducted an off-site consequence analysis worst-case scenario to guide in plan development, training and plan implementation in accordance with the General Duty clause of the Risk Management Plan guidelines (40 CFR Part 68). The County is satisfied that Allegheny has conducted the proper level of hazardous materials planning for the facility and we are prepared to present the draft analysis to the Local Emergency Planning Committee at its next meeting. Allegheny has indicated it will continue its close communications with the local first responders, specifically the Wenden Fire Department, Salome Fire Department and Quartzsite Fire Department

The County has had further opportunities to review the proposed offset from the Avenue 75E alignment of the transmission line and switchyard. We believe that, unless other factors make this unachievable, paralleling Avenue 75E is the preferred alternative. It provides for a single utility corridor, rather than several, thereby reducing the visual impacts, and eliminating the constraints on development that would occur if properties were bisected by power lines. It also provides available access for construction of the facility. We believe that the proposed location of the transmission line is appropriate and support pursuit by Allegheny of that alignment.

It was a pleasure to have the opportunity to provide you and the Committee with information on this most important project. We are genuinely pleased that Allegheny has chosen La Paz County for its first Arizona facility and we hope to have a long and mutually beneficial relationship with them.

Should you require additional information from me, please let me know.

Best regards,



Mary Dahl
Director
Community Development and Emergency Management

Cc: Board of Supervisors
Randall Simpson
Kevin Geraghty
Michael Grant