

# Information Concerning Sempra Energy Expansion of the Aliso Canyon Gas Storage Facility

## Background:

Sempra Energy Southern California Gas Company has filed an application to expand the Aliso Canyon Storage facility and run a new high voltage transmission line from Newhall, over the mountain to the Aliso Canyon facility, right behind our houses, about a quarter mile up the road from the Tampa Ave and Sesnon guard shack.

Los Angeles City and County fire investigations have determined the cause of the Sesnon Wildfire, erupting on the morning of October 13, 2008, to be a downed power line owned by the Southern California Gas Company (SCGC) at their Aliso Canyon facility. Transmission lines that come under the jurisdiction of the California Public Utilities Commission (CPUC) are governed by brush clearance requirements and are subject to inspections by that body. However, transmission lines that belong to non-electric utilities located on private land, such as the Gas Company's line at the SCGC Aliso facility north of Sesnon, are not regulated by the CPUC, and so are not subject to the same kind of strict clearance and inspection requirements. Local governments are pre-empted from legislating brush clearance requirements in connection with transmission lines that come under the CPUC's jurisdiction, but they are not precluded from imposing such requirements around power poles and lines that do not come under the CPUC's jurisdiction. However, the SCGC Aliso facility is located on *private land* in an unincorporated area of Los Angeles County, where Los Angeles City regulations did not apply and county regulations for public utilities on private land did not exist.

The SCGC Aliso facility resides in a high fire risk area with low humidity, thick dry brush, and high winds in the 60-70mph range. It would be *imperative* for any responsible organization to recognize that; private land or public, electric or non-electric utility, ordinance or no ordinance, brush must be cleared from all equipment including power poles and power lines, and that all equipment including power lines must be inspected periodically. Unfortunately, the aforementioned was *not* imperative to SCGC Aliso at the time of the Sesnon Fire. With no power line brush clearance or regular line inspection taking place at SCGA Aliso Canyon, the brush fuel in the area of the downed due to neglect power line began a wildfire that eventually burned 14,703 acres causing the evacuation of thousands of residents, destroying or damaging 89 residences or structures, destroying hundreds of large mature trees on Los Angeles City Recreation and Parks land and caused one death. This disaster is directly attributed to SCGA Aliso management methods and safety practices.

SCGC avoidance of safety and maintenance responsibilities at the Aliso facility demonstrates at best, a complete lack of understanding of the dangerous nature of their operation, or much worse, a willingness to make trade-offs in operational expenses (brush clearance/line inspection costs) at the expense of neighboring community safety.

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The application A09-09-020 Aliso facility project serves as more corroboration of a public utility that has completely missed the mark on public safety and its meaning. From application A09-09-020, see the examples below that support this view.

Application states, "project not subject to public notice requirements but SCGC voluntarily did so to solicit community input." Public documents and meetings never used the term "expansion or increased capacity", only "replacement". Granted this is not a safety issue, just more disingenuous SCGC behavior. Public notice also stated, "PEA (Pre Environmental Assessment) concludes no significant environmental impacts as a result of this project." with no mention of the Sesnon fire. Burning up 14,000 acres of land and trees is a significant environmental impact. Without improved safety and management practices at the site, past performance is all we have to go on. The rest are just words on a paper.

Application 09-09-020 requests preemption of local regulations with CPUC receiving preemptive authority, yet decides **not to comply** with CPUC brush clearance and power line maintenance standards. Also does not want to meet local grading codes and oak tree protection requirements.

Application states "no impact on the surrounding community that cannot be mitigated to a level below significant." Does this mean SCGA considers the Sesnon fire below significant?

Application states "no recreational or park land will be disturbed or otherwise affected." Any guarantees? (See photographs of the park after the Sesnon fire.)

Application states "SCGC strong track record on maintenance efforts at the Aliso facility." (The CPUC should request site maintenance logs for brush clearance and power line inspection.)

Application states SCGC formed a team in partnership with Southern California Edison. Two huge, independent agencies working together? How does conflict resolution take place? How are we assured that no one will drop the ball in handoffs from one agency to another? Recipe for disaster. Besides, *SCE does not brush clear the Chatsworth Tap line.*

Application states "SCGC does not believe that approval of this application will require hearings." SCGC, of course, *assumes* safety and management competency. The public cannot afford this assumption with the safety track record SCGC.

Upon his learning of my filed protest, I was contacted by Joseph M. Mosca, Public Affairs Manager of Southern California Gas Company. He employed a disingenuous strategy to downplay and understate the nature of this new project in hopes that I could be easily placated. Upon my request to see maintenance and safety records and meet with

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the plant manager, my requests were denied and all communication from SCGC was ended. Is this what SCGC calls public outreach?

Public outreach notice of application signage posted in the community was 8.5 inches by 11 inches in size, *posted 12 inches off the ground*, with half of the information on the back of the sign, providing minimal readability in an obvious attempt to go unnoticed or not read.

PEA (Pre Environmental Assessment) states "SCGC will incorporate measures for fire prevention and detection in order to lower the risk of initiating wild land fires during construction." Based upon track record, how can we be certain?

PEA states "SCE protocols will be in place for red flag warning days." How do we know these protocols will be followed and what about SCGC? What protocols do they follow?

PEA states "fire risk will be low because construction areas would be grubbed of vegetation and graded. "What about the new power line installation from the Chatsworth Tap (Newhall) to the facility?"

The SCGC reply to the Rogers and Herman protest states "this is not the proper proceeding to litigate liability issues related to the 2008 Sesnon fire." The Rogers Herman protest does not seek litigation of the Sesnon fire. The Rogers Herman protest seeks to ensure that the negligent management practices of SCGC Aliso that caused the Sesnon fire do not exist during the project construction and ongoing operation of the facility. The SCGC reply states that the Rogers Herman protest is premature. If a full and complete CPUC investigation of the Sesnon fire is required to file a waiver of hearing protest, *then application A09-09-020 is premature* and should be withdrawn and resubmitted upon resolution of Sesnon fire responsibility and cause. With the strong probability that negligence has taken place, it is in the best interests of community safety that the application be suspended until the CPUC can fully investigate the Sesnon fire.

The reply states, "the public has been given every opportunity to have questions answered and give input," suggesting that the protest is somehow too late or that a ruling on the need for public hearing is premature. Isn't the public notice and offer to protest a waiver of hearing also one of the opportunities? And if premature, why only 30 days to protest?

The reply states SGCA is willing to hold additional open houses? When? It has been 8 months since the last? And how about one with *all* the cards in the table?

The reply states "that the new facilities proposed are completely distinct from those that are subject to the Sesnon fire investigation." "Completely distinct, " with the exception of *the same management team with the same negligence and incompetency*. Also,

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converting the facility from a gas driven to an electrical driven operation doubles the power lines on the site and *doubles* the risk of fire.

An attitude of entitlement without responsibility is strongly conveyed by Sempra SCGA which lends itself to public distrust. A review of Sempra Energies **A09-08-020 request authority to establish a wildfire liability expense balancing account** reveals the flipside to the SGCA Aliso 09-09-020 application falsely stating a minimization of fire risk.

A09-08-020 states "Wildfires are inevitable, like other natural disasters." Are utility *caused* fires inevitable? In other words, why prevent them when they are going to happen anyway?

A09-08-020 states "The risk of fire is inherent in the provision of utility service because the risk cannot be entirely avoided." Not words of a company you would want to trust to avoid fires.

A09-08-020 infers no responsibility for "acts not intentionally omitted or directed with intent to cause harm," as if negligence is somehow not a liability?

A09-08-020 speaks to responsibility "for thousands of miles of lines and millions of poles" as if an imposition or overwhelming task to maintain.

A09-08-020 states that "global warming places additional burden as well as increased populations in high fire areas" suggesting that there are too many variables to manage.

A09-08-020 also suggests that "limited fire fighting resources" are another cause of fire damage and reason that they should somehow avoid responsibility for damages.

A09-08-020 asks for relief due to "the likelihood of vegetation blowing into power lines or that wires and poles can fail under the strain of not meeting compliance rules."

A09-08-020 lists over and over numerous causes of wildfires "out of utility company control" which only serves as a built in set of excuses to *not practice* tough prevention measures.

A09-08-020 describes wildfires as "unavoidable costs of providing utility service."  
The Sesnon fire was avoidable.

Through these actions, the SCGA Aliso facility management cannot be trusted to make decisions in the best interest of public safety. Therefore the public must impose safety requirements upon the facility. The CPUC should deny all SGCA Aliso facility expansions and upgrade applications until the following safety requirements are met.

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1. SCGC Aliso presently does not employ staff hired for specifically safety purposes, per Joseph M. Mosca, Public Affairs Manager, Southern California Gas Company. The SCGC Aliso site must employ and dedicate a full time safety engineer, responsible for safety *of the entire site*.
2. The facility safety engineer must be responsible for a review and update of all safety and maintenance site requirements with full compliance to local regulations. The facility safety engineer must perform ongoing audits of safety, maintenance practices and employee training for the facility: structures, grounds, construction, equipment and power lines.
3. Facility plant manager must be responsible and held accountable for corrective actions as a result of safety engineer audits.
4. All safety/maintenance audit records and corrective actions status must be posted on-line for public viewing with monthly updates.
5. Brush must be cleared per LAFD regulation and maintained for both transmission and site distribution lines from Chatsworth tap to both Aliso facilities and all distribution lines within the Aliso facilities.
6. The SGCA Aliso facility must provide ongoing safety and community relations training for all site employees, including management.

Assuming the CPUC judge denies my motion to deny the application, I have requested a CPUC public hearing to be held in Porter Ranch so that our community safety concerns can be heard.

For more information or to have your questions answered contact Wes Rogers @ 818-831-5264 or email @ wrogers1@socal.rr.com.

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