



## **COMPLIANCE ADVISORY NOTICE**

### **Guidelines During Declaration of State Emergency for Energy Reliability *August 31, 2022 – September 9, 2022***

Recently, the State of California has been experiencing extreme heat events with higher-than-average temperatures. These events can increase demand and put significant strain on California's energy grid. As a result, the Office of the Governor and the California Independent System Operator (CAISO) have taken actions to increase energy capacity during these Extreme Heat Events.

On Wednesday, August 31, 2022, the Governor issued a Proclamation of a State of Emergency concerning electricity reliability. On September 7, 2022, the Governor issued an updated Executive Order to extend this State of Emergency through September 9, 2022 (<https://www.caloes.ca.gov/wp-content/uploads/Legal-Affairs/Documents/Proclamations/9.6.22-Labor-Day-Heat-Event-EO.pdf>).

The Proclamation suspends certain permitting requirements and allows facilities to produce more electricity during peak demand hours, from 2:00 p.m. to 10:00 p.m. on August 31, 2022 through September 9, 2022.

The Proclamation suspends state and local air quality and permitting requirements that restrict the amount of power a facility may generate, that restrict the amount of fuel a facility may use, or that impose air quality requirements preventing power plants and operators of back-up generators from generating additional power during peak demand hours. This may include any permit condition, regulation, or law that prohibits, restricts, or penalizes the use of stationary or portable generators during Extreme Heat Events.

In part, the Proclamation allows the use of backup generators and similar backup power sources to increase energy production and meet the demands on California's electrical grid during peak times of this state of emergency.

The Proclamation requires permitted facilities to notify Imperial County APCD – as well as the California Air Resources Board (CARB) and the California Energy Commission (CEC) – within 48 hours if their operations will result in the exceedance of permit requirements. Additionally, such facilities are required to provide a report to Imperial County APCD, CARB, and the CEC within 30 days of operation, and provide the following information: the additional fuel used, the additional hours of operation, and the energy produced by that additional use. For facilities permitted to operate within Imperial County APCD's jurisdiction, notifications can be sent via email to Thomas Brinkerhoff, APC Division Manager at [thomasbrinkerhoff@co.imperial.ca.us](mailto:thomasbrinkerhoff@co.imperial.ca.us).

Examples of permit conditions that may require notification if exceeded include, but are not limited to, limits on total annual hours of operation, maximum heat inputs, daily or monthly emission limits, differential pressures, or fuel usage rates. Requirements that do not restrict power generation, such as monitoring and recordkeeping, will remain in full effect. Facilities that exceed permit requirements and fail to notify Imperial County ACPD in accordance with the Proclamation must continue to comply with permit conditions and/or limits.

Finally, the Proclamation provisions shall expire at 11:59 p.m. on September 9, 2022.

For more information regarding this Compliance Advisory, please contact:

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