

Introduced by Senator Peace

January 15, 2002

An act to amend Section 25534 of the Public Resources Code, relating to energy resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 1269, as introduced, Peace. Thermal powerplant site and facility certification.

The existing Warren-Alquist State Energy Resources Conservation and Development Act, among other things, authorizes the State Energy Resources Conservation and Development Commission to, after hearings, amend the conditions of, or revoke the certification for, any thermal powerplant facility for a material false statement set forth in the application, a significant failure to comply with the terms or conditions of approval of the application, or a violation of the act or any regulation or order issued by the commission.

This bill would make a technical nonsubstantive change.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25534 of the Public Resources Code is
- 2 amended to read:
- 3 25534. (a) The commission may, after hearings, amend the
- 4 conditions of, or revoke the certification for, any facility for any
- 5 of the following reasons:



1 (1) Any material false statement set forth in the application,
2 presented in proceedings of the commission, or included in
3 supplemental documentation provided by the applicant.

4 (2) Any significant failure to comply with the terms or
5 conditions of approval of the application, as specified by the
6 commission in its written decision.

7 (3) A violation of this division or any regulation or order issued
8 by the commission under this division.

9 (b) The commission may also administratively impose a civil
10 penalty for a violation of paragraph (1) or (2) of subdivision (a).
11 Any civil penalty shall be imposed in accordance with Section
12 25534.1 and may not exceed fifty thousand dollars (\$50,000) per
13 violation, except that the civil penalty may be increased by an
14 amount not exceeding one thousand dollars (\$1,000) per day for
15 each day in which the violation occurs or persists, but the total of
16 the per day penalties ~~shall~~ may not exceed twenty-five thousand
17 dollars (\$25,000).

