CPUC AUDIT GA2025-02MH FINDINGS RESPONSE
MARSH LANDING GENERATING STATION
April 21-24, 2025

Finding 1: High priority work orders must be tracked.

Plant SAP Expectation/Guidelines have been updated to include, as practical, all work including Fix-it-Now and Emergent work is captured on a notification and work order in the CMMS SAP system. Please see referenced document.

Finding 2: The Plant must conduct the required maintenance activities on the Black Start system.

Marsh Landing acknowledges that full compliance with preventive maintenance recommended by the OEMs is essential, and that maintaining documentation demonstrating such PMs have been consistently completed is reasonable and appropriate.

Marsh Landing has not yet received the requested documentation from Fluence. We have renewed our request for record of services performed and will provide them to the CPUC as soon as they are available.

While documentation is pending, Marsh Landing emphasizes that the team has diligently monitored the status and availability of the BESS system since the project began commercial operation. Weekly coordination meetings with Fluence, along with frequent informal interactions, ensure timely attention whenever anomalies are observed.

To further ensure compliance, negotiation of a Long-Term Service Agreement with Fluence is complete, and execution will occur no later than August 29, 2025. The LTSA will establish a structured framework for preventive maintenance, including recordkeeping, to address the CPUC's concerns going forward.

Figure 1 Black Start BESS

Finding 3: Safety signage identifying electrical and high voltage hazards on buildings must be improved.

New exterior signage indicating electrical hazard warning beyond this point have been added to all appropriate locations.

Figure 2: Electrical Package door without, and with, electrical hazard identification signage

Figure 3: Electrical Package entrance without, and with, electrical hazard identification signage

Finding 4: National Fire Protection Association (NFPA) 704 placards are inaccurate and must be corrected.

NFPA signage was update immediately at time of ESRB visit.

Figure 4: UAT NFPA Placard; Left: Health rating of 1, Right: Health rating of 0

Figure 5: Corrected NFPA Placards

Figure 6: Hazardous Material Storage NFPA sign was updated to reflect the highest level stored inside the container at time of ESRB visit.

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Finding 5: Portable fire extinguisher inspection and maintenance practices must be improved.

The Plant promptly removed the three units from service during the audit and replaced with appropriate spare extinguishers. The contracted vendor completed the annual PM services on all station extinguishers on 8/20-21/2025.

Figure 7: Fire Extinguisher 090 (Unit 4 Stack) before and after photos.

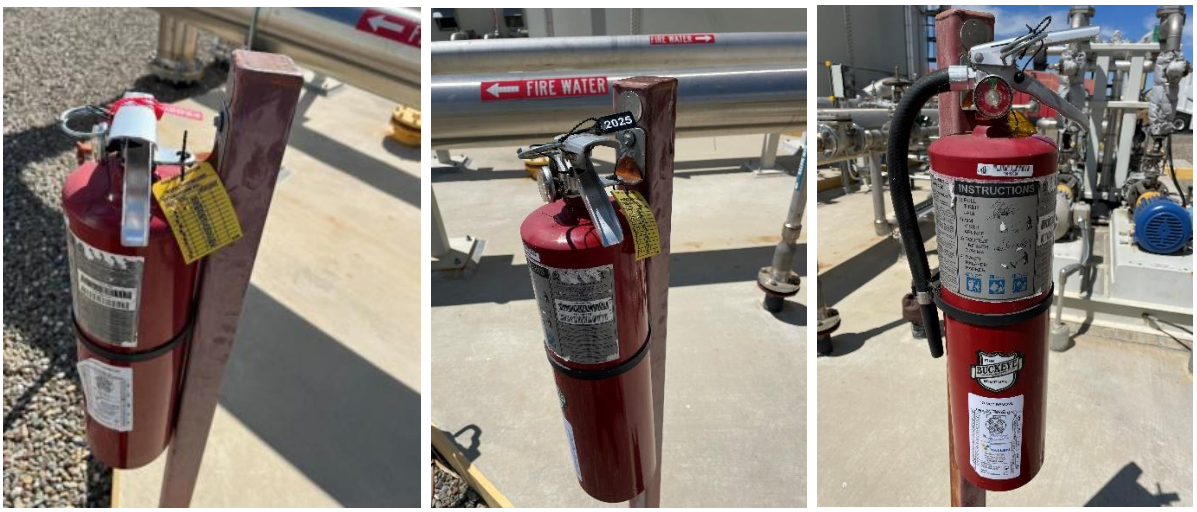
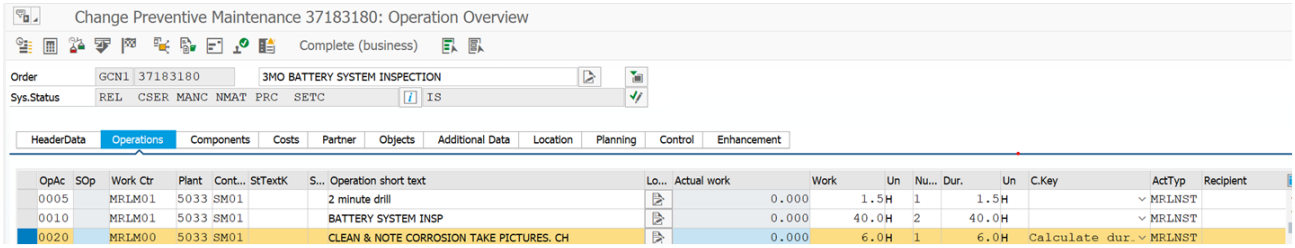


Figure 8: Fire Extinguisher 26 (Water Tank) before and after photos.

Figure 9: Fire Extinguisher on Forklift before and after photos.

Finding 6: Lead acid DC Battery terminal corrosion must be cleaned and routinely monitored.

Battery PM work plan updated to include clean & note corrosion.



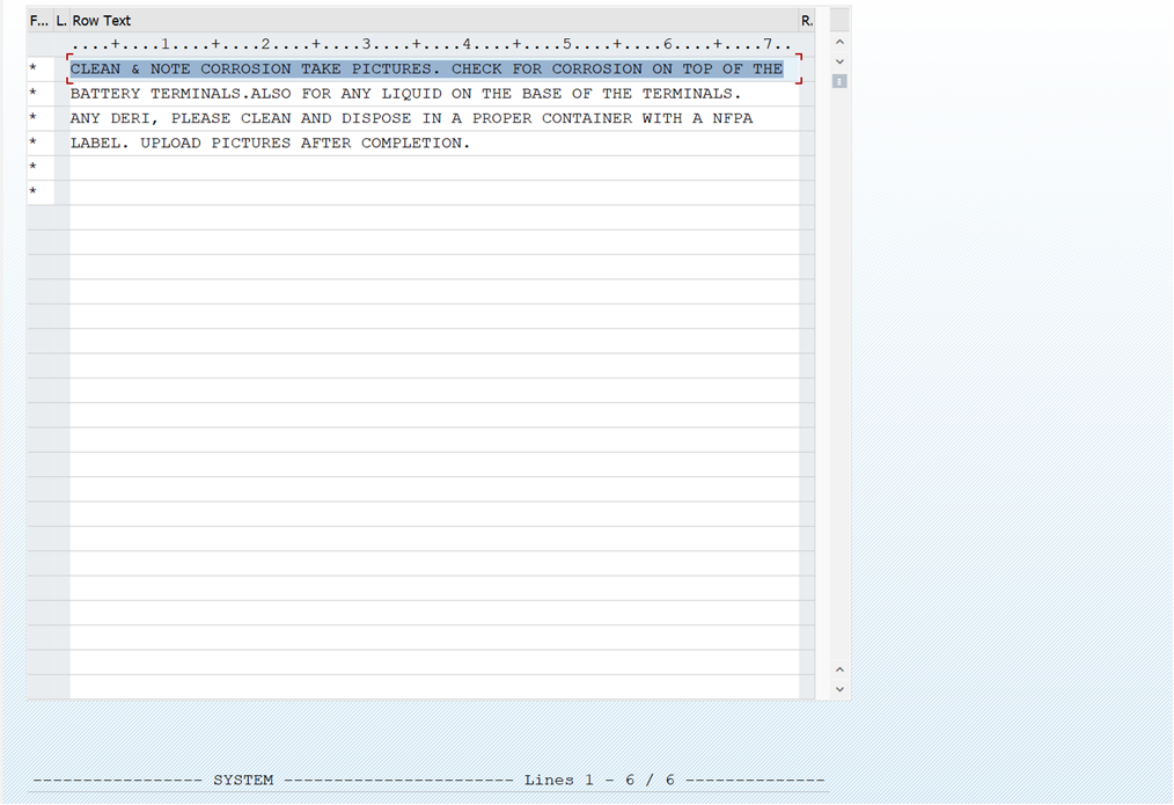


Figure 10: Updated PM

Figure 11: Clean Battery Banks.

Finding 7: A Deficiency Tag that is no longer applicable must be removed from Combustion Turbine 4 compartment.

Deficiency tag for notification 1401874223 was an artifact of past practice. Work was completed by onsite technician who adjusted temperature settings. Deficiency tag has been removed from location.

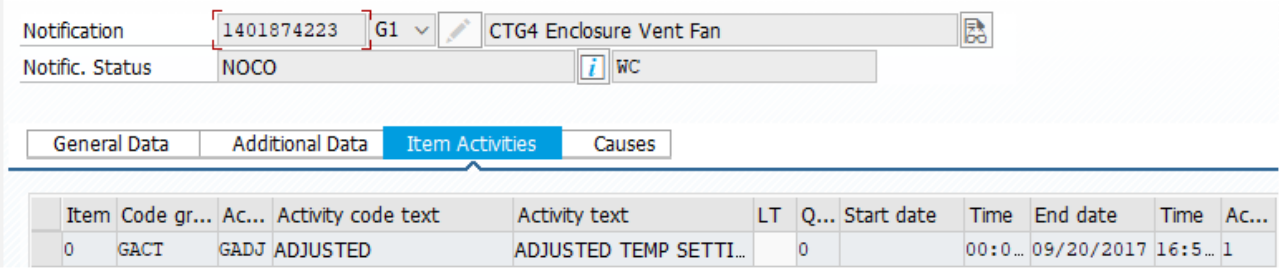


Figure 12: Completed work comments.

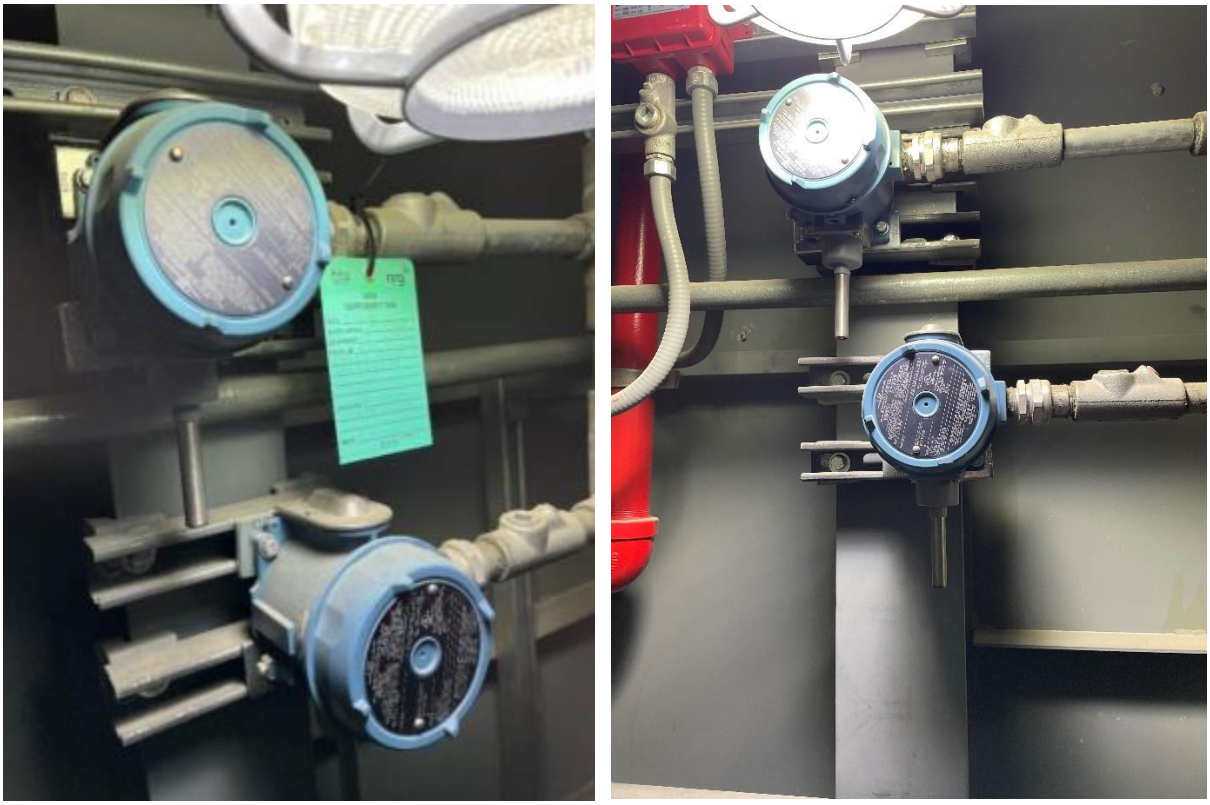


Figure 13: Artifact Deficiency Tag removed.

Finding 8: Corporate Lockout Tagout (LOTO) procedure requires review per the Plant's LOTO procedure.

NRG-0906 Lockout-Tagout Procedure (LOTO) has been updated and released with an effective date of 07/01/2025. All affected employees have completed training of the updated procedure.

NRG Corporate Safety Manual

Title:	Lockout-Tagout Procedure (LOTO)
Number:	NRG-0906
Revision:	06
Approval Date:	06/01/2025
Effective Date:	07/01/2025
Owner:	Danny Barrett – Safety Manager
Approved By:	Susan Rogers – VP, Safety

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Finding 9: An updated Arc Flash Analysis must be conducted for the Plant.

Plant has reviewed the Arc Flash study conducted in 2021 and have opted to conduct an updated full site study. The Arc Flash Analysis vendor has been identified and issued purchase order 4501941751 with an estimated completion of Q1 2026.

Finding 10: Bird nests were present on equipment at the Plant.

Plant contracted our California Energy Commission (CEC) approved Designated Biologist to conduct a site visit and observation of the observed bird nest. Please reference full Report of August 6, 2025, House Finch Nest Inspection and Management Recommendations.

Site Visit and Observations

I visited MLGS on August 6, 2025, to observe the bird nest. After careful observation I determined the nest was an inactive house finch (Haemorhous mexicanus) nest and I removed it. This section describes my observations.

Upon arrival the area with the nest was well demarcated with flagging and signs so that workers would not inadvertently disturb it. From 7:40 am to 8:40 am I sat still, approximately 30 feet from the nest, and quietly observed for 1 hour. I watched the nest consistently for this hour, both with and without binoculars, and had a clear view of the nest. Air temperature was approximately 62 degrees Fahrenheit, skies were clear, and there was a slight breeze; despite excellent conditions for observing activity in or around the nest, no birds or bird activity was observed near the nest.

After quiet observation, I erected a step ladder next to the nest and climbed the ladder for a closer inspection. I used a handheld mirror to look over the rim of the nest into its cup, which was empty. Using text descriptions and images in the field guides Nests, Eggs, and Nestlings of North American Birds (Baicich and Harrison, 205) and Western Birds' Nests (Harrison 1979), I identified the nest as an inactive house finch (Haemorhous mexicanus) nest. This identification was supported by comparing the condition of the nest to various images found online, consistent with the habit of the house finch to allow fecal sacs and waste from the nest to accumulate around its rim. The nest at MLGS contained no eggs or chicks, but was completely covered in fecal sacs and waste, suggesting it was used successfully to fledge one or two broods in 2025.

Because the nest was inactive and was a source of concern to regulators, and therefore to MLGS, I removed the empty nest on August 6, 2025, immediately after confirming species identification and inactive status. Active house finch nests are protected under the Migratory Bird Treaty Act and California Fish and Game Code, but inactive house finch nests are not a protected resource. The house finch has an extensive range and is noted by the IUCN Red List as having an increasing population, categorized as "Least Concern."

House finches are extremely tolerant of human activity. Human structures such as the eaves of the shade canopy at MLGS are among its preferred nest sites. During construction of MLGS, a house finch pair successfully fledged chicks from a nest constructed square in the middle of the active construction site, on the framework that eventually became one of the four on-site gas generators. They can build their nests in as little as 2 days. House finches may build a new nest at the same location as the one I removed, or nearby, and there are probably other house finch nests at MLGS that have gone undiscovered.

If a bird chooses to nest among ongoing activity such as operations at MLGS, then the ongoing activity is generally presumed to not affect the nest. Rather, it is new activity in the presence of an existing nest that may harm reproductive success. Therefore, and especially with a disturbance-tolerant species such as the house finch, a nest that is not in obvious conflict with operations may not be cause for biological concern. In the case of this nest, routine background noise in the nest vicinity includes the noise associated with compressors, motors, and/or generators routinely tuning on and off. Based on the species' habits, the

ongoing background noise and disturbance, and the apparent success of this year's nest, it seems unlikely that operations at MLGS would cause harm to future nests at this or similar locations.

Figure 14: Bird nest in Gas Chromatograph before and after photos.