EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-74-20

WHEREAS on August 16, 2020, I proclaimed a State of Emergency to exist in California as a result of the heat wave striking California and surrounding Western states, which has brought widespread temperatures well in excess of 100 degrees throughout the state (the "Extreme Heat Event"); and

WHEREAS the Extreme Heat Event persists and is projected to intensify over the coming days, increasing the demand and strain on California's energy grid; and

WHEREAS it is critical that power plants in the State generate as much power as possible to satisfy the increased demand created by the Extreme Heat Event; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) Permitting requirements or conditions of certification adopted by the Energy Commission pursuant to section 25216.5, subd. (a), and sections 25500 et seq. of the Public Resources Code, as well as related permitting requirements adopted by local air quality management districts, that restrict the amount of power that a facility may generate, restrict the amount of fuel that a facility may use, or impose air quality requirements that prevent the facility from generating additional power during peak demand hours from 3:00 p.m. to 10:00 p.m., or as otherwise needed to respond to the Extreme Heat Event, are suspended.

2) Any facility that operates in violation of permitting requirements or conditions of a certificate suspended by Paragraph 1 of this Order shall (a) notify the relevant local air quality management district, the Energy Commission, and the Air Resources Board of its actions within 48 hours and (b) report additional fuel use, additional hours of operation, and energy produced by that additional use and operation to the relevant local air quality management district, the Energy Commission, and the Air Resources Board within 30 days of this Order.

3) The suspension in Paragraph 1 shall expire at 11:59 p.m. on August 20, 2020.

IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day of August 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State