

Central Coast Regional Water Quality Control Board

April 11, 2014

Pete Ziegler
Managing Director, Moss Landing Power Plant
Dynegy Moss Landing LLC
Moss Landing Power Plant
P. O. Box 690
Moss Landing, CA 95039-0690
ATTENTION: LEE GENZ
Lee.Genz@dynegy.com

Dear Mr. Ziegler:

HEARING NOTICE AND AVAILABILITY OF DRAFT WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2014-0029 – DYNEGY MOSS LANDING, LLC, MOSS LANDING POWER PLANT, HIGHWAY 1 & DOLAN ROAD, MOSS LANDING, MONTEREY COUNTY

This letter is to notify you of the availability of draft Order No. R3-2014-0029, which staff intends to present to the Central Coast Water Board for adoption at its meeting scheduled for July 31 - August 1, 2014. The Order includes a Monitoring and Reporting Program. The draft order and associated attachments may be downloaded from our website after **April 15, 2014** at:
<http://www.waterboards.ca.gov/centralcoast/Permits/Index.htm>

Draft Order No. R3-2014-0029 is a reissuance of waste discharge requirements which allow continued operation and renewal of exemptions from the Toxic Pits Cleanup Act for hazardous waste surface impoundments located at the Dynegy Moss Landing LLC, Power Plant.

The July 31 – August 1, 2014 meeting is scheduled to begin at 8:30 AM each day and will be held at the following Santa Barbara location: (Note that this item may be considered by the Central Coast Water Board at any time during the meeting). Approximately two weeks prior to the board meeting, an agenda will be available that states whether this item will be heard on July 31 or August 1, 2014. We understand that the Santa Barbara location is not convenient for interested parties who wish to attend the Board Meeting in person, however, due to the upcoming expiration date of the existing permit (August 31, 2014) and the infrequency of northern board meetings, we could not reschedule the meeting for a location closer to Moss Landing prior to the expiration date.

Santa Barbara County Offices
Supervisor's Board Hearing Rm. - 4th Floor
105 East Anapamu Street
Santa Barbara, CA 93101

Persons wishing to comment on or object to the draft Order must submit comments in writing to the letterhead address (attention David Schwartzbart) no later than **May 30, 2014**. The Central Coast Water Board will not accept late comments or other written submissions on the draft

Order unless the Chair rules that exclusion would create a severe hardship and that the late submission will not prejudice any party or the Central Coast Water Board. Any person asking to submit late materials must explain why the materials were not submitted earlier. The Chair will rule on any late submissions at or before the hearing. Late submissions that consist of evidence (as opposed to policy statements or comments) are generally prejudicial unless all designated parties and Central Coast Water Board staff have time to consider the evidence before the meeting. If Central Coast Water Board staff proposes changes to the revised Order before the Central Coast Water Board meeting, parties and interested persons will have an opportunity to submit written comments on the proposed changes.

A Notice of Public Hearing and instructions are attached. Please post and publish the public notice **no later than April 15, 2014**, according to the instructions provided. If you have questions, please contact **David Schwartzbart at (805) 542-4643** or david.schwartzbart@waterboards.ca.gov or Thea Tryon at (805) 542-4776 or thea.tryon@waterboards.ca.gov.

Sincerely,

for Kenneth A. Harris Jr.
Executive Officer

Attachments: 1. Notice of Public Hearing
2. Public Notice Instructions

cc via email:

Steve Shimek, Monterey Coastkeeper, exec@otterproject.org
Deirdre Whalen, Monterey Bay National Marine Sanctuary, deirdre.whalen@noaa.gov
Kurt Souza, Drinking Water Program, Kurt.Souza@cdph.ca.gov
John Ramirez, Monterey County Environmental Health, ramirezj1@co.monterey.ca.us
Jessica Jahr, OCC, Jessica.jahr@waterboards.ca.gov
John Bystra, DTSC Hazardous Waste Management Program, JBystra@dtsc.ca.gov
Dave Fox, California Department of Fish & Game, david.s.fox@state.or.us
Joe O'Hagan, California Energy Commission, johagan@energy.state.ca.us
Nader Agha, Moss Landing Commercial Park, naderagha43@gmail.com
Friends of Sea Otters, seaotter@seaotters.org
The Otter Project, exec@otterproject.org
Scott Rasmussen, California Power Exchange, sr@cooperlaw.com

cc via US Mail:

Monterey Bay National Marine Sanctuary
Mr. William J. Douros, Superintendent
299 Foam Street
Monterey, CA 93940

William J. Keese
Chairman and Presiding Member
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

California Department of Fish & Game
Lt. Dave Fox
20 Lower Ragsdale Road, Suite 100
Monterey, CA 93940

California Coastal Commission
Mr. Charles Lester, Director
725 Front Street, Suite 300
Santa Cruz, CA 95060-4508

Mark Zeiring
CPUC
505 Van Ness Avenue, Room 4011
San Francisco, CA 94101

Monterey County Department of
Environmental Health
Mr. Walter Wong, Director
1200 Aguajito Road
Monterey, CA 93940-4887

Bruce Weldon
Senior Hazardous Material Specialist
Monterey County Department of Health
1270 Natividad Road
Salinas, CA 93906

Pacific Gas & Electric
Attention: Mail Code B11a
P.O. Box 770000
San Francisco, CA 94117-0001

Mr. Sam Bose
Moss Landing Commercial Park
P. O. Box 310
Moss Landing, CA 95039-0310

Moss Landing Harbor District
Attention: Mr. Jim Stilwell
P.O. Box. 10
Moss Landing, CA 95039-0010

Charles C. Vierra & Delia N. Vierra
P.O. Box 56
Moss Landing, CA 95039-0056

Clara Calcagno, et.al
P.O. Box 62
Moss Landing, CA 95039

Minhoto Properties LP
3149 Rasmus Circle
San Jose, CA 95148

Marion Massera
318 Tynam Way
Salinas, CA 93906

Elkhorn Slough Foundation
Attention: Mark Silberstein
P.O. Box 267
Moss Landing, CA 95039

Coastal Alliance
Post Office Box 526
Morro Bay, CA 93443

Center for Marine Conservation
55 C Municipal Wharf
Santa Cruz, CA 95960

Coastal Watershed Council
902 Pacific Avenue, #207A
Santa Cruz, CA 95060

Sierra Club
1001 Center Street
Santa Cruz, CA 95060

John Hubbard
American Cetacean Society
19275 Oak Ridge Drive
Aromas, CA 95004

Save Our Shores
2222 E. Cliff Drive, #5a
Santa Cruz, CA 95062-4730

Surfrider Foundation
P.O. Box 3203
Santa Cruz, CA 95063

Madeleine Clark
Monterey Parkway
2624-F El Camino Real North
Prunedale, CA 93907

Carolyn Nielson
870 Valencia School Road
Aptos, CA 95003

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**PUBLIC NOTICE INSTRUCTIONS TO APPLICANT FOR
REISSUANCE OF WASTE DISCHARGE REQUIREMENTS**

Name of Discharger: Dynegy Moss Landing, LLC

Attached is a public notice regarding Proposed Order No. R3-2014-0029. No later than **April 15, 2014**, you or your assignee shall ensure the attached notice is:

- Posted at the principal office of the municipality in which the facility or discharge is located, or if the plant or discharge is not located within a municipality, then at the principal office of the political subdivision with general jurisdiction over the premises on which it is located, and by posting a copy at the U.S. Post Office serving those premises.
- Published in a local newspaper or in a daily newspaper of general circulation at least once. [Note: you may instruct the newspaper to contact us if they would like an electronic version of the public notice.]

Please fill out the lower section of this form and return within 15 days of the posting and publication of the notice.

for _____
Michael Thomas
Assistant Executive Officer

_____ **April 11, 2014**
Date

Name of Discharger: Dynegy Moss Landing, LLC

In accordance with the above instructions, on _____, a copy of the public notice has been:

- Posted in the post office and principal office of the municipality nearest the premises where the effluent source is located.
- Published in a local newspaper of general circulation (attach proof of publication).

Print Name, Title

Signature

Date

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

895 Aerovista Place, Suite 101
San Luis Obispo, California 93401

**NOTICE OF PUBLIC HEARING - PUBLIC NOTICE NO. R3-2014-0029
REISSUANCE OF WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2014-0029**

DYNEGY MOSS LANDING, LLC

The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) proposes to authorize discharge of hazardous waste to Class I hazardous waste surface impoundments for the treatment and storage of wastes generated during operation of the power plant by reissuance of waste discharge requirements. The Central Coast Water Board will hold a public hearing to consider the issuance of the proposed waste discharge requirements on **July 31- August 1, 2014**, at the:

Santa Barbara County Offices
Supervisor's Board Hearing Rm. - 4th Floor
105 East Anapamu Street
Santa Barbara, CA 93101

Interested persons are invited to submit comments in writing to the Central Coast Water Board at its office in San Luis Obispo no later than **May 30, 2014**. All comments received prior to that date will be considered in the formulation of staff recommendations regarding the waste discharge. The Central Coast Water Board will not accept written comments or other written submittals on the draft Order after **May 30, 2014**, unless the Chair of the Central Coast Water Board rules that exclusion would create a hardship, and that the late submission will not prejudice any party or the Central Coast Water Board. Any person submitting late comments or other submittals must explain why such materials were not submitted by **May 30, 2014**. The Chair of the Central Coast Water Board will rule on late submittals at or before the hearing. Late submittals that consist of evidence (as opposed to policy statements or comments) are generally prejudicial unless all parties and Central Coast Water Board staff have time to consider the evidence before the hearing.

Interested persons are invited to attend the hearing and may make oral comments relevant to the proposed action. Oral comments should summarize written comments. The Chair of the Central Coast Water Board will impose time limits on oral comments.

The draft Order and related documents are available for review at the Central Coast Water Board office, 895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-5427, on weekdays between the hours of 8:00 a.m. and 5:00 p.m or may be downloaded from our website after **April 15, 2014** at: <http://www.waterboards.ca.gov/centralcoast/Permits/Index.htm>

Please direct comments and questions to **David Schwartzbart at (805) 542-4643** (or david.schwartzbart@waterboards.ca.gov) or Thea Tryon at (805) 542-4776 at thea.tryon@waterboards.ca.gov. Please bring the foregoing to the attention of any persons known to you who would be interested in this matter.