

Mirant Delta, LLC

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Special Hearing
2/3/05

cc: BD, DI, OWQ

e-cys: BD, CC, HMS, TH, CMW

February 3, 2005

State Water Resources Control Board
1001 I Street, 24th Floor
P.O. Box 100
Sacramento, CA 95812-0100
Attn: Ms. Debbie Irvin, Clerk to the Board



MIRANT

Subject: Draft Industrial Activities Stormwater General Permit

Dear Members of the Board:

Mirant appreciates this opportunity to comment on the proposed revisions to the Industrial Activities Stormwater General Permit. Mirant wishes to draw your attention to issues raised by the inclusion in the proposed permit of certain "benchmark indicator values," particularly those for Total Suspended Solids (TSS) and Specific Conductance (S/C).

Mirant operates three power generation facilities in the Bay Area, each of which is near a saline water body (San Francisco Bay and Suisun Bay). As such, these facilities are subject to seawater splash, which deposit salts on our site. Storms then wash these deposits back into the water-body from which they originated. Sampling in the past indicates that Mirant's facilities will on occasion exceed the proposed benchmark indicator values for TSS and S/C as a result of these seawater influences.

As currently proposed, exceeding the benchmark indicator values for TSS and S/C would require that Mirant, and any other facility located near a salt water body, engage in substantial additional stormwater sampling simply because they are subject to seawater influence. These facilities are not "adding" any constituents into the receiving water body; they are simply allowing constituents that originated in the receiving water body to be returned to that water body. Accordingly, Mirant suggests that the Draft Industrial Activities Stormwater General Permit be modified to provide that additional sampling is required upon exceeding a benchmark indicator value only when the parameter being sampled exceeds the ambient concentration in the receiving water body itself.

Mirant appreciates the Board's consideration of these comments.

Sincerely,



Steven J. Bauman
Sr. Environmental Engineer

cc: Peter W. McGaw, Esq.