

commentletters - Comment Letter - California Ocean Plan Amendment : Support for Item 10, Alternative 1, No Action,

From: "Andy Shea" <andy.shea@acciona.com>
To: <commentletters@waterboards.ca.gov.>
Date: 7/26/2007 10:25 AM
Subject: Comment Letter - California Ocean Plan Amendment : Support for Item 10, Alternative 1, No Action,
CC: "Alejandro Jimenez Benitez" <alejandro.jimenez.benitez@acciona.es>, "Nikolay Voutchkov" <nvoutchkov@poseidon1.com>, "Peter MacLaggan" <pmaclaggan@poseidon1.com>, "Griffin, Charles (Skip)" <CAGriffin@pbsj.com>, "Silverman, Gary P" <GPSilverman@pbsj.com>

6/26/07 Scoping Mtg.
 CA Ocean Plan Amend.
 Deadline: 7/27/07 Noon

July 26, 2007

State Water Resources Control Board
 Division of Water Quality
 1001 I Street
 Sacramento, CA 95814



Attn: Song Her, Clerk of the Board, Executive Office

Re: Support for Item 10, Alternative 1, No Action, California Ocean Plan Amendment

Dear Staff and Members of the State Water Resources Control Board:

Acciona Agua is an international desalination company with 25 years of development, design, construction, ownership and operation of seawater reverse osmosis desalination systems throughout the world. We have approximately reference 70 plants – from the earliest commercially operated seawater RO plants in the Mediterranean to the largest SWRO projects (greater than 60 mgd) in London and in Spain. More important, we have been selected as the preferred turnkey constructor on the 50 mgd Carlsbad (San Diego County) Seawater Desalination project, and we are intimately familiar with the hard work and permitting effort the staff and the board have put into reviewing and approving the NPDES permit for this state-of-the-art project. For those not familiar with the Carlsbad NDPDES permit, it has become a model of excellence for analytical effort and vigilant monitoring of the proposed facility.

We bring to your attention the concern we have, as well as many others in the water industry share, regarding the proposed Amendment to The Water Quality Control Plan, Ocean Water of California, June 2007, Issue 10. To the point, we draw your attention to the statement. "Currently, there is no Ocean Plan objective that applies specifically to brine water discharges from desalination plants or groundwater desalination facilities." This statement, and more poignantly, this attitude, is not consistent with the professionalism and the rigor which has been demonstrated by the RWQCB staff and the SWCB in the permitting of the Carlsbad desalination facility and similar projects in the state.

In brief, we would like to make the following comments:

(1) The existing Ocean Plan already has already established acute and chronic toxicity water quality objectives. These requirements already apply to and address in detail the effect of desalination seawater concentrate on the aquatic environment. (See ORDER NO. R9-2006-0065, NPDES NO. CA0109223)

(2) Based on Acciona's experience in Spain and throughout the Mediterranean, there is no need to regulate salinity level of concentrate discharge as a predetermined percentage of background levels in order to protect aquatic environment. We are prepared to discuss European Environmental norms if this is of interest to staff.

(3) Based on our experience of over 70 desal plants of various sizes and source waters, concentrate discharges from seawater and brackish desalination plants do not present harm to marine environment if properly researched, designed, constructed and operated.

(4) The salinity tolerance of a given marine environment is always site-specific to the type and diversity of species in the vicinity of the discharge and the constituents and frequency of discharge. Establishing a uniform or "blanket" state-wide salinity limit is without technical merit, is not based in science, and sets a precedent for "by fiat" environmental regulation to target and hinder the implementation of desalination projects.

(5) Establishing indiscriminately prescriptive hyper-saline conditions beyond those limits already established with the existing toxicity limits sets a precedent for the reciprocal regulation of wastewater discharges which create a hypo-saline condition around ocean outfalls.

We appreciate this opportunity to comment. If we can be of any assistance in this effort or provide any additional information regarding this issue, please do not hesitate to contact us at your earliest convenience.

Sincerely,

Andy Shea

Andrew L. Shea
USA Development Director
Acciona Agua
360 Red Coat Lane
Wayne, PA 19087-1339
cell: +1 914.441.7634
fax: +1 610.254.8308
andy.shea@acciona.com
www.acciona-agua.com
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