

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER QUALITY  
AUGUST 15, 2023**

**ITEM 7**

**SUBJECT**

CONSIDERATION OF ADOPTION OF AN AMENDMENT TO THE WATER QUALITY CONTROL POLICY ON THE USE OF COASTAL AND ESTUARINE WATERS FOR POWER PLANT COOLING TO REVISE THE COMPLIANCE SCHEDULE FOR ALAMITOS, HUNTINGTON BEACH, ORMOND BEACH, AND SCATTERGOOD GENERATING STATIONS, AND DIABLO CANYON NUCLEAR POWER PLANT.

**DISCUSSION**

This is a consideration of adoption meeting for an amendment to the statewide Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling (Once-Through Cooling or OTC Policy). The OTC Policy establishes uniform, technology-based standards to implement Clean Water Act section 316(b) with the goal of reducing harmful effects associated with cooling water intake structures on marine and estuarine life.

If approved, the amendment would extend the compliance dates of Alamitos, Huntington Beach, and Ormond Beach generating stations for three years from December 31, 2023, to December 31, 2026, to address system-wide energy grid reliability concerns. On June 30, 2022, Governor Gavin Newsom approved Assembly Bill 205, which established the Electricity Supply Strategic Reliability Reserve Program (Strategic Reserve) to address system-wide reliability concerns. In September 2022, the Statewide Advisory Committee on Cooling Water Intake Structures (SACCWIS) recommended extending Alamitos, Huntington Beach, and Ormond Beach generating stations' compliance dates to provide capacity to the Strategic Reserve.

The proposed amendment would also extend the compliance date of Scattergood Generating Station for five years from December 31, 2024, to December 31, 2029, to address local energy grid reliability concerns in the Los Angeles Department of Water and Power's (LADWP) jurisdiction. The SACCWIS supported a request from the LADWP to extend Scattergood Generating Station's compliance date to support local reliability while new transmission and generation infrastructure projects are underway, including transitioning to a new hydrogen generating station instead of a closed-cycle cooling system at the Scattergood site.

The amendment also includes an administrative change to the compliance date for Diablo Canyon Nuclear Power Plant. This is a change without regulatory effect to ensure the OTC Policy is consistent with the compliance date that was already extended to October 31, 2030, by Senate Bill 846, which was signed into law and became effective on September 2, 2022.

Staff will give a short presentation on the amendment, comments received during the public comment period, and responses to those comments.

## **POLICY ISSUE**

Should the State Water Board extend the compliance dates for Alamitos, Huntington Beach, and Ormond Beach generating stations for three years from December 31, 2023, to December 31, 2026; and extend the compliance date of Scattergood Generating Station for five years from December 31, 2024, to December 31, 2029?

## **FISCAL IMPACT**

To be funded within existing resources. The amendment may cause the Los Angeles and Santa Ana Regional Water Quality Control Boards to incur expenses to renew National Pollutant Discharge Elimination System (NPDES) permits, implement permits, or associated permit actions; however, these impacts are expected to be absorbed by current program funding.

## **REGIONAL BOARD IMPACT**

The NPDES permits issued to Alamitos and Ormond Beach generating stations by the Los Angeles Regional Water Quality Control Board and Huntington Beach Generating Station by the Santa Ana Regional Water Quality Control Board are scheduled to expire on December 31, 2025, at which point the regional water quality control boards may consider renewing or administratively extending the permits upon submission of complete reports of waste discharge from owners and operators. The Los Angeles Regional Water Board administratively extended Scattergood Generating Station's NPDES permit on March 18, 2021.

Alamitos Generating Station is currently operating under a time schedule order issued by the Los Angeles Regional Water Board. The time schedule order expires December 31, 2023, and the Los Angeles Regional Water Board is considering whether to extend it.

## **STAFF RECOMMENDATION**

Staff recommend that the State Water Board adopt the proposed amendment to the OTC Policy.