

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
MARCH 7, 2023**

ITEM 2

SUBJECT

PUBLIC HEARING ON THE PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL POLICY ON THE USE OF COASTAL AND ESTUARINE WATERS FOR POWER PLANT COOLING TO EXTEND THE COMPLIANCE DATES FOR ALAMITOS, HUNTINGTON BEACH, ORMOND BEACH, AND SCATTERGOOD GENERATING STATIONS.

DISCUSSION

This is a public hearing for an amendment to the 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.

The OTC Policy requires that the Statewide Advisory Committee on Cooling Water Intake Structures (SACCWIS) periodically convenes to ensure that implementation of the OTC Policy will not cause disruption in the state's electrical power supply. The SACCWIS advises the State Water Board on modifications to compliance dates in the OTC Policy needed to ensure grid reliability. The proposed amendment is based on the recommendations in the 2022 Special SACCWIS Report approved by the SACCWIS on September 30, 2022.

The proposed 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 grid reliability concerns and to provide resources to the Electricity Supply Strategic Reliability Reserve Program established by Assembly Bill 205. Assembly Bill 205 was signed into law by Governor Gavin Newsom on June 30, 2022.

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 grid reliability concerns in the Los Angeles Department of Water and Power's jurisdiction while they upgrade regional transmission infrastructure and transition to a zero-carbon grid.

The proposed amendment also includes a change without regulatory effect to revise the compliance date for Diablo Canyon Nuclear Power Plant to October 31, 2030. This change will ensure the OTC Policy is consistent with the compliance date that was already extended by Senate Bill 846, which was signed into law by Governor Newsom on September 2, 2022, to support statewide grid reliability.

POLICY ISSUE

This is a public hearing for the State Water Board to receive oral comment pertaining to the proposed amendment to the OTC Policy. Any change to an OTC Policy compliance date will require an amendment of the OTC Policy to be adopted by the State Water Board.

The State Water Board will not be taking formal action at the hearing. At a subsequent board meeting and after providing written responses to all timely written comments and oral comments made at the hearing, the State Water Board will consider adopting the proposed amendment to the OTC Policy and the associated Staff Report.

FISCAL IMPACT

The State Water Board and Regional Water Quality Control Board staff work associated with or resulting from the proposed amendment to the OTC Policy will be addressed with existing and future budgeted resources.

REGIONAL BOARD IMPACT

The proposed amendment to the OTC Policy to revise the compliance schedule for Alamitos, Huntington Beach, Ormond Beach, and Scattergood generating stations will impact regulatory documents issued by the Los Angeles Water Quality Control Board and the Santa Ana Regional Water Quality Control Board, including but not limited to National Pollution Discharge Elimination System permits and time schedule orders.

STAFF RECOMMENDATION

No staff recommendation will be made at this time.