RESPONSE TO COMMENTS
AES ALAMITOS, LLC
ALAMITOS GENERATING STATION
TENTATIVE ORDER NO. R4-2020-XXXX
AND
TENTATIVE TIME SCHEDULE ORDER NO. R4-2020-YYYY
NPDES PERMIT NO. CA0001139

Comment Letter dated October 21, 2020, from Heal the Bay

No.	Comment	Response	Action Taken
1.	**Continuation of OTC operations at the Alamitos Generating Station must not be allowed to continue beyond the three-year extension deadline of December 31, 2023.** The Alamitos Generating Station uses once through cooling (OTC) power generation. This OTC operation causes significant, harmful, and ongoing impacts to our valuable marine resources. In 2005, the California Energy Commission first recognized OTC as a contributing factor to the degradation of California's fisheries, estuaries, bays and coastal waters.[1] Public discussions began with the State Water Resources Control Board (State Board) that same year on the development of the State Water Resources Control Board Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling (OTC Policy), which was later officially adopted in 2010. Heal the Bay was one of many stakeholders, including the Coastal Commission, Energy Commission, Public Utilities Commission, as well as other NGOs, that worked together to craft the requirements of the OTC Policy. We also served on the Expert Review Panel for the OTC Policy.	Under Section 2.B(2) of the OTC Policy, the Alamitos Generating Station shall achieve full compliance with the OTC Policy by the Final Compliance Date established in Section 3.E, Table 1 of the OTC Policy (currently December 31, 2023), or any later date established in accordance with the Final Compliance Date suspension provisions in Section 2.B(2) of the OTC Policy. The Alamitos Generating Station plans to achieve full compliance with the OTC Policy by permanently shutting down Units 3, 4 and 5 by the Final Compliance Date. The compliance dates in the OTC Policy are determined by the State Water Board with input from the Statewide Advisory Committee on Cooling Water Intake Structures (SACCWIS). Since October 1, 2015, Alamitos Generating Station has complied with the interim mitigation measures (to mitigate impingement and entrainment impacts resulting from their cooling	None necessary

[1] California Energy Commission. 2005. *Issues and Environmental Impacts Associated with Once-Through Cooling at California's Coastal Power Plants: Staff Report.* Available at: www.energy.ca.gov/2005publications/CEC7002005013/CEC-700-2005-013.PDF

No.	Comment	Response	Action Taken
	It is critical, for the health of California's coastal ecosystems, that the timeline in the OTC Policy be followed. We understand that the State Board has already granted a three-year time extension to cease OTC operations at the Alamitos Generating Station by December 31, 2023 (originally December 31, 2020). We also understand the need for grid reliability, particularly during times of peak energy demand. However, we must consider the negative impacts of allowing OTC operations, including effluent discharge, to continue beyond the ten-year grace period originally allowed in the 2010 OTC Policy, and the implications of this extension on both public and environmental health, with no penalty assumed by the permittee for these ongoing impacts. Therefore, ***continuation of OTC operations at the Alamitos Generating Station must not be allowed to continue beyond the three-year extension deadline of December 31, 2023, under any circumstances.***	water intake structures) described in Section 2.C(3)(b) and Section 2.C(3)(e) of the OTC Policy, consistent with Resolution No. 2015-0057. The interim mitigation period commenced on October 1, 2015, and continues up to and until owners or operators achieve full compliance with the OTC Policy. As noted in the Staff Report for the September 1, 2020 Amendment to the OTC Policy, the interim mitigation requirements as detailed in Resolution No. 2015-0057 are still in place and are sufficient to offset impingement and entrainment impacts incurred during the extended operation of the Alamitos Generating Station.	
2.	**AES Alamitos, LLC should assess potential unidentified negative impacts of OTC operation termination to facilitate the regulatory process associated with OTC Policy compliance.** The Alamitos Generating Station uses OTC water drawn from the Los Cerritos Channel Estuary using circulation pumps and discharges OTC water and low-volume wastewater to the San Gabriel River Estuary. Given the water quality concerns observed in the Channel Islands Harbor after the closure of the Mandalay Generating Station in Spring 2018, we request that special studies and community engagement be conducted as soon as possible to address any unintended negative impacts resulting from the termination of OTC operations at the Alamitos Generating Station. The water quality concerns in the Channel Island Harbor are unique to the hydrologic conditions and land use local to the Mandalay Generating Station. We do not expect to see issues of stagnation in the Los Cerritos Channel Estuary to the extent that it is observed in	The recommended change is unnecessary. The City of Long Beach has already conducted studies to evaluate the potential impact to both water bodies when the OTC flows have been discontinued. The additional three-year delay will enable the City of Long Beach and other interested parties to propose a plan to mitigate the impacts identified in the studies.	None necessary

No.	Comment	Response	Action Taken
	the Edison Canal (of the Channel Islands Harbor), but other concerns, specific to the Los Cerritos Channel Estuary, may arise. OTC operation has been allowed to continue at the Alamitos Generating Station for an additional three years beyond the original OTC Policy deadline of December 31, 2020, allowing for continued degradation of California's fisheries, estuaries, bays and coastal waters. ***We therefore recommend that a stipulation be added to the Tentative TSO to have AES Alamitos, LLC conduct a special study to identify any potential unintended consequences of OTC operation termination by December 31, 2021 as an annual milestone, and to take any necessary actions to address any such unintended consequences prior to the termination of OTC operation, to occur no later than December 31, 2023.***		
3a.	**Interim effluent limitations should be removed from the Tentative TSO. At a minimum, mandatory minimum penalties must automatically apply to any violations of the Tentative TSO, including but not limited to exceedances of the interim effluent limits.** When this permit was last renewed in 2015, there was a change in designation of the receiving water that Alamitos Generating Station discharges into, from ocean waters to estuarine waters. This change in designation resulted in modifications to a number of effluent limitations to which the permittee is subject, specifically the limits for temperature, total residual chlorine, pH, copper, nickel, ammonia, and bis(2-ethylhexyl)phthalate. This change in designation of the receiving water allowed for the temporary incorporation of interim limits through a TSO associated with the 2015 permit. However, the permittee was aware of this change in designation of the receiving water 14 years prior to the issuance of the 2015 Permit and TSO, in a memo from the State Water Board. This change was	The Regional Water Board has determined the interim limitations in the tentative TSO to be appropriate. This includes the interim limitations for temperature, total residual chlorine, pH, copper, nickel, ammonia and bis(2-ethylhexyl)phthalate for the discharge of OTC water commingled with process wastewater to the San Gabriel River Estuary. Order R4-2015-0173, which was the first order that took into account the 2003 reclassification of the discharge from an ocean discharge to an estuarine discharge, established new effluent limitations for these pollutants. The renewal of all of the permits for coastal power plants was delayed until at least 2015 as a result of efforts to develop and implement the OTC Policy. In 2015, the Discharger submitted written requests for additional time to achieve compliance with the new effluent limitations in	None necessary

No.	Comment	Response	Action Taken
	then further supported by a letter dated January 21, 2003 from the Regional Board to the AES Alamitos, LLC. Therefore, the permittee has been aware of the change in designation of the receiving water as well as the modification to effluent limits for nearly two decades. Especially considering the setback in the protection of water and ecosystem resources already posed by this three-year OTC operation extension, we cannot allow water quality violations to continue throughout the remaining duration of OTC operations. We are concerned that the Tentative TSO is allowing multiple water quality violations to continue throughout the remaining duration of OTC operations. The permittee discharges OTC and other wastewater from the Alamitos Generating Station into the San Gabriel River Estuary through various discharge points, including Discharge Points 002, 003, O-48, and O-84. The permittee has been given the following interim effluent limits, all of which far exceed final effluent limits, putting public and environmental health at risk not only for the duration of OTC operation, but for as long as those pollutants persist within our environment. *Comply immediately with the following interim effluent limits at Discharge Points 002 and 003, which shall be deemed effective from January 1, 2021 to December 31, 2023:*	Order R4-2015-0173. The Regional Water Board evaluated the requests and found that interim effluent limitations were appropriate and adopted TSO R4-2015-0174 and two amendments. The milestones in the TSO schedule included eliminating the discharge of OTC water and low volume wastes from Units 1 through 6 and eliminating the discharge of sanitary wastes. Per the schedule, the Discharger has eliminated the discharge from Units 1, 2 and 6 and the sanitary waste discharge. As a result, the Discharger decreased the maximum discharge from 1,271 MGD to 729 MGD. The OTC Policy originally included a final compliance date of December 31, 2020, and the Discharger would have eliminated the discharge from Units 3, 4 and 5 by that date. However, the joint-agency Statewide Advisory Committee on Cooling Water Intake Structures (SACCWIS) recommended an extension of the final compliance date due to concerns regarding California's electricity supply. On September 1, 2020, the State Water Board amended the OTC Policy to extend the Final Compliance Date until December 31, 2023. The interim effluent limitations may not be removed from the Tentative TSO because they are required by the California Water Code. Pursuant to Water Code § 13385, subd. (j)(3)(C)(iii) "If the time schedule exceeds one year from the effective date of the order, the schedule shall include interim requirements and the dates for their achievement. The interim requirements shall include both …. (I) Effluent limitations for the pollutant or pollutants of	

No.	Comment	Response	Action Taken

Parameter	Units	AMEL	MDEL	Instantaneous Maximum
Temperature	°F	---	---	105
Total residual chlorine	mg/L	---	0.2	---
Copper[1]	µg/L	8.0	9.3	---
Nickel	µg/L	33	49	---
Bis(2-ethylhexyl)phthlalate	µg/L	---	28	---
Enterococcus	[2]			

1. The interim effluent limitation for copper applies during both dry and wet weather conditions.
2. Effluent limitations for *Enterococcus* are described below:
   a. Geometric Mean Limit
      Enterococcus density shall not exceed 935/100 ml.
   b. Single Sample Limit
      Enterococcus density shall not exceed 2,429/100 ml.

Comply immediately with the following interim industrial storm water limit at Discharge Points O-48 and O-84, which shall be deemed effective from January 1, 2021 to December 31, 2023:

Parameter	Units	MDEL
Total Suspended Solids (TSS)	mg/L	385

Given the exorbitant amount of time that the permittee has been given to come into compliance with the final effluent limits, ***we request that the Regional Board reject this TSO with interim limits for temperature, total residual chlorine, copper, nickel, bis(2-ethylhexyl)phthlalate, enterococcus, and total suspended solids.***

concern. (II) Actions and milestones leading to compliance with the effluent limitation." Thus, the tentative TSO includes interim effluent limitations for temperature, total residual chlorine, pH, copper, nickel, ammonia and bis(2-ethylhexyl)phthalate.

With respect to the TSS effluent limitation for the stormwater discharge, the comment incorrectly states that Discharge Points O-48 and O-84 discharge to the San Gabriel River Estuary. These two discharge points discharge to the Los Cerritos Channel Estuary.

Please refer to Response to Comment 3b below for mandatory minimum penalties.

No.	Comment	Response	Action Taken
3b	***At a minimum, mandatory minimum penalties should automatically apply to any exceedance of this interim effluent limitation.*** We therefore request the following language be added to the Tentative TSO: "If an interim effluent limitation contained in this TSO is exceeded, the Discharger shall be subject to enforcement actions for that exceedance, including the imposition of mandatory minimum penalties."	Mandatory minimum penalties (MMPs) for effluent violations are governed by the California Water Code, and not all violations of an effluent limitation trigger MMPs. Pursuant to section 13385, subdivisions (h) and (i) of the Water Code, the Los Angeles Water Board must assess an MMP of $3,000 for each serious violation. A serious violation is defined as "any waste discharge that violates the effluent limitations … for a Group II pollutant … by 20 percent or more or for a Group I pollutant … by 40 percent or more. (Group I and II pollutants are listed in Appendix A to 40 CFR § 123.45). MMPs must also be imposed for certain chronic effluent violations (i.e. where there are 4 violations in any period of six consecutive months). However, even for chronic violations, MMPs are not applicable to the first three violations. (Wat. Code § 13385, subd. (i).) Because the imposition of MMPs depends on the magnitude and the frequency of the exceedance, an MMPs is not applied automatically to any exceedance of an effluent limitation. The TSO includes standard provision number 6 of enforcement actions to be taken for violations of any requirements/provisions in the TSO. Violations of the interim effluent limitations are already addressed by these provisions. Therefore, the proposed language has not been added.	None necessary
3c	Recognizing the significant negative impacts of OTC operations on California's fisheries, estuaries, bays and coastal waters, we are disappointed that the Alamitos Generating Station has been granted	The State Water Resources Control Board (SWRCB), via the most current version of the OTC Policy, dictates when the generating	None necessary

No.	Comment	Response	Action Taken
	a three-year extension of OTC operations beyond the ten-year grace period originally allowed in the 2010 OTC Policy, with no additional mitigation fees. On top of the negative environmental impact of OTC operation such as impingement and entrainment, the Tentative TSO is allowing additional degradation of our water and ecological resources by permitting water quality violations to continue throughout the remaining duration of OTC operations. If the Regional Board moves forward with a TSO for this facility, it is critical that no extension beyond this three-year extension be considered, that the Permit and the TSO be sufficient to protect public and environmental health until OTC operations cease, and that mandatory minimum penalties apply to any violation of the TSO.	stations using coastal and estuarine water for cooling purposes will shut down, based on system-wide grid reliability issues. The Tentative Permit and TSO were prepared in conformance with the provisions of the Implementation Schedule of the OTC Policy. Accordingly, this issue should be raised with the SWRCB, not the Los Angeles Water Board. Please refer to Response to Comment 3b to TSO, above for the applicability of the mandatory minimum penalties to any violations.	

Comment Letter dated October 21, 2020, from AES Alamitos LLC (Discharger)

No.	Comment	Response	Action Taken
1.	**Order Location:** Page 6&7, Table 5 – Effluent Limitations at Discharge Points 002 and 003 **General Issue:** The discharge limits do not reference the applicable TSO. **Solution:** The limits for total residual chlorine, copper, zinc, nickel, bis (2-ethyhexyl) phthalate and temperature should include a clarifying reference indicating each is subject to the TSO and interim limits are applicable per the TSO.	Added a footnote to Table 5 of the revised tentative permit for total residual chlorine, copper, nickel, bis (2-ethyhexyl) phthalate and temperature that states: "A Time Schedule Order (Order No. R4-2020-YYYY) has been issued that includes an interim limit for this pollutant that is effective until December 31, 2023." Zinc is not included in Table 5.	Revisions made to the tentative permit
2.	**Order Location:** Page 6&7, Table 5 – Effluent Limitations at Discharge Points 002 and 003 **General Issue:** The effluent temperature limit of 86 degrees is subject to an interim limit; however, there is a newly included footnote (footnote c) that states, "For temperature, the maximum temperature of the effluent shall not exceed the natural temperature of the receiving waters by more than 20°F." These include additional limitations under the Water Quality Objective 5A of the Thermal Plan (outlined on page 82) that are also applicable to the discharge of our facility. Sections 12-14 of Order R4-2015-0174 provided descriptive detail of the Thermal Plan limitations and provided interim limits for AES Alamitos. The newest TSO omits these sections and interim limits. **Solution:** The interim limits for temperature, other than the 105°F must be reincorporated into the TSO.	Interim receiving water limitations for temperature were established in TSO R4-2015-0174-A02 and are still applicable. Therefore, the revised tentative TSO has been edited throughout to retain the interim receiving water limitations.	Revisions made to the tentative TSO
3.	**Order Location:** Page 8, Table 6 – Effluent Limitations for Low Volume Wastes	The interim limitations in the tentative TSO are established pursuant to California Water Code section 13385(j)(3)(B)(i), which applies to new, more stringent, or modified regulatory	None necessary

<table>
<tr><th>No.</th><th>Comment</th><th>Response</th><th>Action Taken</th></tr>
<tr><td></td><td>General Issue: The new Order prescribes an instantaneous minimum and maximum effluent limitation for pH of 6.0 and 9.0, respectively, for low volume wastes. Monitoring data has shown AES Alamitos cannot achieve the low volume pH limits during months of significant unit operation and warmer weather. Warmer water temperatures resulting from unit operation and the ambient air temperatures often attribute to algae growth in the retention basin which exasperate the high pH levels. AES Alamitos has installed several engineering controls to help mitigate the algae growth (e.g. aeration and ultrasonic soundwaves); however, exceedances of the pH limit occasionally still occur. Since the discharge from the basin commingles with the OTC water prior to discharge offsite, the pH limits are solely a compliance concern for the retention basin and have not been a concern at the effluent points to the San Gabriel River. Below is a summary of the exceedances that have occurred at the retention basin discharge point during the last permit cycle.
<table>
<tr><td>Data sampled and analyzed</td><td>pH result</td></tr>
<tr><td>6/6/17</td><td>9.44</td></tr>
<tr><td>2/5/18</td><td>9.64</td></tr>
<tr><td>6/5/18</td><td>9.7</td></tr>
<tr><td>11/5/18</td><td>9.04</td></tr>
<tr><td>4/2/19</td><td>9.45</td></tr>
<tr><td>5/3/19</td><td>9.19</td></tr>
<tr><td>7/8/19</td><td>9.45</td></tr>
</table>
Solution: AES Alamitos requests that the pH limits for the low volume waste be included in the TSO,</td><td>requirements. The pH effluent limitations for low volume wastes in the tentative permit are the same as those included in Order R4-2015-0173. Therefore, these are not new requirements in the tentative permit and California Water Code section 13385(j)(3)(B)(i) does not apply.</td><td></td></tr>
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No.	Comment	Response	Action Taken
	allowing AES Alamitos until December 31, 2023 to comply with the limits.		
4.	**Order Location:** Page 9, Section 5.1.4 **General Issue:** This surface water limitation prohibits depressing the dissolved oxygen (DO) concentration to less than 5.0 mg/L and annual mean shall be greater than 7.0 mg/L, but the concentration in the area, especially upriver of the discharges, often falls below 5.0 mg/L, especially in the summer. In 2018, there was a low DO value at the offshore station at the mouth of the San Gabriel River (RSW-001) and two low DO values at the river station upstream of the discharge point (RSW-010). The following explanation was provided in the 2018 Annual Report, which appeared to be acceptable to the Regional Board: "Sampling at the offshore stations recorded DO higher than 5 mg/l at all sites and all depths in both winter and summer, except at Station RSW-001 during the ebb tide in summer where DO measured 4.90 mg/l at the surface. In the river, DO was higher than 5 mg/l at all stations and depths except at Station RSW-010 on both tides at depths below the surface with five values ranging from 4.33 to 4.94 mg/l. The minimal levels recorded in the San Gabriel River upriver from the discharges were presumably due to elevated water temperatures in the river and high biological oxygen demand from anerobic sediments present in the shallow depth. The higher concentrations downriver from the discharges suggest that the discharges did not adversely affect DO in the river. It is not clear why DO was relatively low at the mouth of the river, but it appears correlated	The surface water limitation referred to in the comments states that “The mean annual dissolved oxygen concentration shall be greater than 7.0 mg/L. No single determination of dissolved oxygen shall be less than 5.0 mg/L, except when natural conditions cause lesser concentrations.” Therefore, the tentative permit establishes that the Regional Water Board will accept dissolved oxygen results less than 5.0 mg/L when it can be demonstrated that the result was caused by natural conditions.	None necessary

No.	Comment	Response	Action Taken
	with the warmer brackish-water lens present at that location." Although, it's perceived that AES Alamitos's discharge should not cause the depression, this limitation could continue to be problematic because of the low DO detections common within the area of the discharges and the potential for low DO within OTC (i.e. originating in the Los Cerritos Channel). This Order includes monitoring requirements for the downstream location, RSW-011 and monitoring for dissolved oxygen is required to demonstrate compliance with the Basin Plan Objectives (see page 117). **Solution:** Compliance with the dissolved oxygen limit should not be problematic to AES, provided that the Regional Board accepts that natural conditions cause low DO in the river. Or in the alternative, since low DO values have occurred in the past and are not attributed to our discharge, AES requests interim limits be included in the TSO.		
5.	**Order Location:** Page 9, Section 5.1.5 **General Issue:** The receiving water limitations include a new provision that states the four day average concentrations of un-ionized ammonia shall not exceed 0.035 mg/L and the one hour average concentration shall not exceed 0.233 mg/L. Historical monitoring data have shown that ammonia concentrations would not have exceeded either the freshwater or the saltwater criteria; however, it would not be difficult to exceed the saltwater criteria for unionized ammonia. For instance, in both 2017 and 2020, the calculated unionized ammonia concentrations were low at the upstream station due	As stated in the comment, historical monitoring data have demonstrated that the Discharger can comply with the surface water limitation for ammonia.	None necessary

No.	Comment	Response	Action Taken
	to the low pH values (7.5 both years); however, a higher pH of 7.9 (which can occur at the upstream station and typically is the case for the downstream stations) would result in higher unionized ammonia concentrations. If this higher pH had occurred in 2017 or 2020, the calculated unionized ammonia concentrations would have exceeded the four-day average of 0.035 mg/L in 2017 at the upstream limit and would have been just been below the threshold in 2020. It therefore would not take much of an increase in pH or in the measured total ammonia concentration to cause an exceedance. Since this is not considered point discharge monitoring, the facility should not be penalized for exceedances that are out of our control. **Solution:** Compliance with the un-ionized ammonia limits should not be problematic to AES, provided that the Regional Board accepts ammonia concentrations could be attributed to upstream sources (such as the five Los Angeles County Sanitation District water reclamation plants discharging to San Gabriel upstream of the Alamitos Generating Station). If violations could occur resulting in a minimum mandatory penalty, AES recommends that an interim limit be included in the TSO.		

No.	Comment	Response	Action Taken
6.	**Order Location:** Page 13, Section 6.3.2.3, last sentence **General Issue:** The final sentence is not accurate based on current construction activity and how it is being managed. The sentence states, "In addition, the updated SWPPP needs to address the construction activities at the site and the additional BMPs that need to be implemented." **Solution:** The above sentence should be removed, or the following explanation provided. *The CCGT construction is complete and facility is permitted under the Industrial General Permit and maintains a separate SWPPP. Current construction for the battery energy storage and any future construction (e.g. SCGTs) will be conducted under the construction general permit and be managed under a separate SWPPP.*	The following statement is added to Section 6.3.2.3. of the revised tentative permit as requested: "The CCGT construction is complete and that part of the facility is permitted under the Industrial General Permit and maintains a separate SWPPP. Current construction for the battery energy storage and any future construction (e.g. SCGTs) will be conducted under the construction general permit and be managed under a separate SWPPP." To be consistent, the following sentence has been deleted: "In addition, the updated SWPPP needs to address the construction activities at the site and the additional BMPs that need to be implemented."	Revisions made to the tentative permit
7.	**Order Location:** Page 14, Section 6.3.6, third paragraph **General Issue:** It accidently states that the discharger shall achieve full compliance with the OTC Policy by permanently shutting down Units 3, 4, and 6. This should state Units 3, 4, and 5. This should be revised throughout the entire permit where necessary. **Solution:** Revise to state, *Units 3, 4, and 5*.	References to achieving full compliance with the OTC Policy by permanently shutting down units are corrected from "Units 3, 4, and 6" to "Units 3, 4, and 5" throughout the revised tentative permit as requested.	Revisions made to the tentative permit
8.	**Order Location:** Page 14 (Section 6.3.4.2); Page 67 (Section 10.4.3); Page 88 (Fact Sheet, Section 3.5); and Page 114 (Fact Sheet, Section 6.2.4) **General Issue:** The requirement to submit a Climate Change Plan is not consistent throughout the Order.	References to the requirement to submit a Climate Change Plan are revised throughout the revised tentative requirements to be consistent with Section 6,3.4.2. of the Order.	Revisions made to the tentative permit

No.	Comment	Response	Action Taken
	Solution: Recommend revising the requirement to be consistent with the initial statement on page 14 (Section 6.3.4.2). The Climate Change Plan shall be due if and when a ROWD is submitted for permit renewal. Furthermore, the reference in Section 10.4.3 (page 67) shall be revised and instead state section 6.3.4.2 rather than section 6.3.4.b.		
9.	**Order Location:** Page 23, PCB definition- Analytical Methods for PCBs **General Issue:** For the purpose of assessing compliance with the discharge prohibition for PCBs in the Tentative Order, the RWQCB requires the use of USEPA approved Test Method 608. Based on this definition, it appears the RWQCB is also requiring supplemental analysis of PCBs using an analytical method that is not a USEPA approved method in accordance with 40 CFR 136. While the RWQCB explains that the additional testing using proposed method 1668c is to gather data to verify assumptions in the TMDL, this request is not appropriate as a condition of AES's NPDES Permit. The testing is expensive, does not provide relevant NPDES Permit compliance information, and has not been approved by USEPA. **Solution:** AES recommends eliminating the requirement to conduct supplemental analysis PCBs using proposed method 1668c from the Tentative Order. The permit should specify that the RWQCB requires the use of USEPA approved Test Method 608.	With regard to PCBs, USEPA method 608 is required for monitoring and compliance assessment, and USEPA proposed method 1668c is requested for informational purposes. For clarification the PCB definition in Attachment D is edited as follows in the revised tentative requirements: "USEPA method 608, reported as arochlor results, is required for monitoring data that will be used for assessing compliance with WQBELs (if applicable). PCBs as aroclors shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254 and Aroclor-1260. USEPA proposed method 1668c, reported as 44 congener results, is requested for informational purposes to help assess concentrations in the receiving water. To facilitate interpretation of sediment/fish tissue data for TMDL development, PCB congeners whose analytical characteristics resemble those of PCB-8, 18, 28, 37, 44, 49, 52, 66, 70, 74, 77, 81, 87, 99, 101, 105, 110, 114, 118, 119, 123, 126, 128, 138, 149, 151, 153, 156, 157, 158, 167, 168, 169, 170, 177, 180, 183, 187, 189, 194, 195, 201, 206 and 209 shall be reported as a sum and individually quantified (or quantified as mixtures of isomers of a single congener in co-elutions as appropriate)."	Revisions made to the tentative permit

No.	Comment	Response	Action Taken
10.	**Order Location:** Page 28, Attachment B – Maps: Facility Location Map **General Issue:** The arrow identifying the "*Alamitos Generating Station"* and area delineated on the map is the location of the CCGT facility and not covered by this permit. **Solution:** This area should instead be labeled as the Alamitos combined cycle gas turbine (CCGT) facility. The perimeter for the "S*ite*" is accurate and for better clarification has been replaced with the label "Alamitos Generating Station." A revised map is attached.	The Facility Location Map has been updated with the current map provided by the Discharger in the revised tentative requirements.	Revisions made to the tentative permit
11.	**Order Location:** Page 33, Attachment D, Section 1.7.5.1, Second Sentence **General Issue:** The dates specified in the second sentence are contradictory. It states, "As of December 21, 2023, As of December 21, 2020, all notices must be submitted…" **Solution:** Remove December 21, 2023	"December 21, 2023" has been removed from Attachment D Section 1.7.5.1. in the revised tentative requirements.	Revisions made to the tentative permit
12.	**Order Location:** Page 38 & 40, Attachment D, Sections 5.5 & 5.8 **General Issue:** In section 5.5, the twenty-four-hour reporting requirements for instances of noncompliance include reporting requirements for combined sewer overflows and sanitary sewer overflows. The second and third paragraphs for the 24-hour reporting are geared specifically toward Publicly Owned Treatment Works (POTWs). Similarly, Section 5.8 also refers to noncompliance events related to combined sewer & sanitary sewer overflows. This can cause confusion amongst permit	Attachment D presents standard language included in all NPDES permits. Not all provisions in Attachment D apply to all dischargers. The tentative permit reflects the 2018 retirement of the sanitary sewer system and does not any include any effluent limitations or monitoring requirements for treated sanitary waste.	None necessary

No.	Comment	Response	Action Taken
	readers and give a false impression that there is a sanitary sewer system onsite. **Solution:** Remove any reference to sanitary sewer systems or treatment works treating domestic sewage. The sanitary sewer system was retired in 2018 and the facility is now connected to the city sewer.		
13.	**Order Location:** Page 49, Table E-2 – Effluent Monitoring at Locations EFF-002, EFF-003 **General Issue:** The chronic toxicity units are incorrect. **Solution:** Chronic Toxicity Units should be listed as "Pass/Fail, %Effect."	The chronic toxicity units have been corrected to "Pass/Fail, % Effect" in the revised tentative permit.	Revisions made to the tentative permit
14.	**Order Location:** Page 49, Table E-2 – Effluent Monitoring at Locations EFF-002, EFF-003 **General Issue:** Although AES Alamitos has an interim compliance limit in the time schedule order allowing AES time to come into compliance with the enterococcus limitation, AES Alamitos also requests a reduction of the monitoring. The 2015 Order requires AES Alamitos to sample bacteria at the outfall the sanitary waste is directed to; however, since the cessation of the waste treatment facility in 2018, bacteria monitoring is no longer required. The waste treatment plant was the only potential source of bacteria from onsite operation; therefore, the sampling of bacteria at the discharge points is not representative of the onsite operation and has the potential to be impacted by elevated bacteria concentrations within the OTC water. Taking into account that there has been a TMDL established for	As indicated in the comment, Order R4-2015-0173 required monitoring "only for those discharge points receiving a sanitary waste discharge." The sanitary waste discharge ceased when the Discharger constructed a sewer line and decommissioned the on-site treatment plant in September 2018. Therefore, a reduction in monitoring frequency is appropriate and Table E-2 has been edited to reduce the minimum sampling frequency to "1/Year".	Revisions made to the tentative permit

No.	Comment	Response	Action Taken
	bacteria and known sources of bacteria in the Los Cerritos Channel (the cooling water intake for AES Alamitos), AES Alamitos is concerned about the requested frequency of monitoring for enterococcus at EFF-002 and EFF-003. There is no established monitoring frequency in the Basin Plan and monitoring on a quarterly basis significantly increases the risk of penalty (includes geometric mean and single limitations) that is entirely out of AES Alamitos's control. In the past, upon reporting elevated results at the discharge points, AES Alamitos has collected samples at the intake and have determined elevated results at the discharge points were directly attributed to the OTC water coming from the intake point (i.e. Los Cerritos Channel). Although these exceedances were entirely out of AES Alamitos's control, the perceived violations included a mandatory minimum penalty. Since Alamitos has already been exposed to instances when bacteria concentrations at the discharge are directly attributed to the intake, AES Alamitos would like to lower the risk of being held accountable and penalized for pollutants that are directly out of its control. **Solution:** AES Alamitos requests the sampling requirement be reduced to once per year similar to the receiving water monitoring frequency. Due to the need to collect multiple samples to calculate a geometric mean (i.e. a six-week rolling geometric mean) there will remain adequate data for evaluating reasonable potential for the discharge during future permit reissuances, although the likelihood of permit reissuance is very unlikely. Additionally, AES Alamitos's prior data has shown that the intake water		

No.	Comment	Response	Action Taken
	has levels of enterococcus that are above the effluent limitations and has no feasible controls to address the concentration levels of these constituents.		
15.	**Order Location:** Page 49, Table E-2 – Effluent Monitoring at Locations EFF-002, EFF-003 **General Issue:** The monitoring frequency was increased for several parameters (ammonia, copper, mercury, nickel, bis(2-ethylhexyl) phthalate) and monitoring added for TCDD equivalents. The fact sheet does not justify the need for increased monitoring and does not indicate why TCDD monitoring has been added. Appendix A within 40 CFR, Part 423 requires only 2,3,7,8, TCDD be analyzed and not the equivalents. **Solution:** AES Alamitos requests the retention of monitoring frequencies specified in the 2015 Order (i.e. quarterly to semi-annual) and elimination of TCDD equivalents.	As indicated in the comment, Order R4-2015-0173 required semiannual monitoring for copper, nickel and bis(2-ethylhexyl) phthalate; and annual monitoring for ammonia and mercury. The reasonable potential analysis (RPA) conducted on monitoring data determined that effluent limitations are necessary for these pollutants. Quarterly monitoring is typically required for pollutants with effluent limitations, therefore the frequency was set at "1/Quarter" in the tentative requirements. Since the adoption of Order R4-2015-0173 the Discharger has permanently shut down Units 1, 2 and 6; thereby reducing the maximum discharge volume from 1,271 million gallons per day (MGD) to 729 MGD. Further, discharge from the Facility is intermittent due to grid demand. Therefore, the need to increase the monitoring frequency for these pollutants has not been demonstrated. The frequency has been reduced to "2/Year" in Table E-2 for these pollutants. TCDD monitoring is addressed in Comment 16 below.	Revisions made to the tentative permit
16.	**Order Location:** Page 51, Table E-2, Footnote j **General Issue:** There is no basis for the increased monitoring of TCDD and having to analyze the TCDD equivalents. **Solution:** Remove the additional analyses requirements (which includes the footnote) to make it consistent with Appendix A and the requirements specified in the 2015 Order.	Monitoring for TCDD equivalents is typically required for dischargers in the Region. While the monitoring requirement has been changed in the tentative requirements from "2,3,7,8-TCDD" to "TCDD equivalents" the monitoring frequency has also been changed from semiannually to once per permit term. The Regional Water Board finds this requirement to be consistent and appropriate.	None necessary
17.	**Order Location:** Page 51 & 52, Table E-3 and Footnote a	The sample type "Flow Meter" has been deleted in Table E-3 of the revised tentative requirements.	Revisions made to the

No.	Comment	Response	Action Taken
	General Issue: The 2015 Order did not have the requirement to have a flow meter and report continuous flow from the retention basin. We previously reported the maximum daily flow and recorded days with flow and the days that had no flow. AES Alamitos does not have a flow integrator for the retention basin and it is infeasible to report continuous flow. **Solution:** AES Alamitos recommends the retention basin flow reporting requirement remain consistent with the 2015 Order.		tentative permit
18.	**Order Location:** Page 52, Table E-4 – Effluent Monitoring at Locations O-48 and O-84 **General Issue:** The stormwater monitoring at locations O-48 and O-84 requires the continuous monitoring of flow. AES Alamitos does not have an onsite rain gauge and historically used the data from the nearest offsite rain gauge and calculated the total flow by estimating the total quantity of rain in the nearby vicinity to the tributary area of the monitoring location. AES Alamitos seeks clarification whether a rain gauge at the facility is required to report flow or if the prior method will suffice. **Solution:** A statement clarifying that the use of the Los Angeles Public Works precipitation data or Weather Underground would be acceptable.	The sample type “Flow Meter” has been deleted in Table E-4 of the revised tentative requirements.	Revisions made to the tentative permit
19.	**Order Location:** Page 52, Table E-4 – Effluent Monitoring at Locations O-48 and O-84 **General Issue:** The 2015 Order required monitoring of priority pollutants at Locations 0-48 and 0-84 (i.e. stormwater effluent monitoring locations) since it was to aid in the risk potential analysis (RPA) and	The comment references general permit requirements as a justification for eliminating the requirement for annual priority pollutant monitoring of the stormwater discharge. The Discharger has indicated that once the discharge of OTC water is discontinued the only remaining discharge will be stormwater and a general permit may be appropriate. However, the stormwater discharge is currently regulated	None necessary

No.	Comment	Response	Action Taken
	establish new effluent limits if a new permit was to be provided in 2020. Since the facility is expected to retire prior to the renewal of a new permit, there should be no requirement to continue to analyze for priority pollutants. Demolition of the facility would be permitted under the construction general permit and new monitoring requirements would be established for the facility. Moreover, the analyses of priority pollutant for stormwater is challenging due to the unpredictability of the start time of rain events, hold times, and the results of the data will not be used for a future RPA or to determine new effluent limitations. **Solution:** Remove the requirement to analyze priority pollutants within storm water. This request is consistent with EPA's 2015 MSGP and proposed 2020 MSGP. On March 2, 2020, the EPA published in the Federal Register a proposed 2020 MSGP. The proposed 2020 MSGP revisions are primarily based on the National Academies of Sciences, Engineering, and Medicine's (NAS) National Research Council (NRC) study which focuses on benchmark monitoring issues and recommended improvements. These recommendations include the removal of Iron for Sector O. Parameters that are being considered for monitoring and are being done so in a manner that will either remove the parameter from monitoring requirements such as magnesium and iron, or revise the benchmark monitoring threshold value of the respective parameter to be consistent with current acute criteria which in most cases will increase the value of the respective threshold. EPA also proposed to expand the exclusions list associated with benchmark monitoring exceedances to include aberrations, natural background, and run-on from	under the individual NPDES permit. Annual monitoring of priority pollutants is typically required for stormwater discharges regulated by individual NPDES permits in the Region. The Regional Water Board finds this requirement to be appropriate as long as the discharge of OTC water continues and the stormwater discharge is regulated under the individual NPDES permit.	

No.	Comment	Response	Action Taken
	neighboring sources. If a facility can demonstrate that water quality-based effluent limitations are maintained when considering the exceedance, additional measures may not be required. In addition, a proposed "low-risk" monitoring option is being considered. This option will allow for a qualifying facility to perform inspections in lieu of benchmark monitoring. As evident by the NRC study and the proposed 2020 MSGP, there are numerous improvements that are recommended for the 2015 MSGP benchmark monitoring requirements. In addition, EPA is strongly considering moving forward with a long-term process to develop recommended wetweather water quality criteria, along with procedures for states to develop wet-weather water quality criteria based on their own state-specific information. As stated, this is a long term process but one if developed correctly would establish water quality criteria based on wet-weather events in a logical manner and serve as a replacement for EPA's use of benchmarks in the MSGP, and would also be useful for assessing the potential impacts of stormwater pollutant discharges from construction, municipal and other regulated stormwater discharges. Therefore, inclusion of the priority pollutants' monitoring requirement in the facility's NPDES permit for stormwater is not appropriate at this time.		
20.	**Order Location:** Page 53, Attachment E, Section 5.1.3.2 **General Issue:** Red abalone, sea urchin, and sand dollars are listed as invertebrate test species for toxicity testing. This limits testing to animals that can	Attachment E, Section 5.1.3.2. has been edited as follows: "A static non-renewal toxicity test with the purple sea urchin, *Strongylocentrotus purpuratus*, or the sand dollar, *Dendraster excentricus* (Fertilization Test Method 1008.0); or a static non-renewal toxicity test with the red abalone, *Haliotis rufescens* (Larval Shell Development Test Method);	Revisions made to the tentative permit

No.	Comment	Response	Action Taken
	be seasonal or otherwise unavailable in good, test-worthy condition. **Solution:** AES Alamitos requests the list be expanded to include mussels and oysters, as in the current methods and permit, to maximize available species so seasonal or test organism supplier issues do not disrupt testing.	or a static non-renewal test with the pacific oyster, *Crassostrea gigas*, and a mussel species, *Mytilus edulis, M. californianus, M. galloprovincialis, or M. trossulus* (Embryo-Larval Development Test Method)."	
21.	**Order Location:** Page 53, Attachment E, Section 5.1.4 **General Issue:** Species sensitivity rescreening is required every 24 months; however, the permit doesn't specify when the monitoring shall begin. **Solution:** Recommend revising the language to: "Species Sensitivity Screening shall be conducted monthly during the permit's first three-monthly monitoring events and then every 24 months thereafter."	The first sentence in Attachment E, Section 5.1.4. is edited to read as follows: "Species sensitivity screening shall be conducted monthly during the first three monthly monitoring events after the effective date of this Order."	Revisions made to the tentative permit
22.	**Order Location:** Page 54, Attachment E, Section 5.1.4, Last paragraph **General Issue:** The new Order includes a new provision that states, "During the calendar month, toxicity tests used to determine the most sensitive test species shall be reported as effluent compliance monitoring results for the chronic toxicity MDEL." This is a new requirement and requires further clarification. Historically the species sensitive screening results were included in the SMR submittal. However, these results were not required to be reported as compliance tests. Since multiple species are tested, in addition to multiple suites of screening (i.e. minimum of three) that will likely occur over a two-month period, it is not clear if each test and each	The provision referenced in the comment is standard language included for all dischargers. The provision is intended to clarify that species sensitivity screening meets the monitoring requirements for the months in which it occurs.	None necessary

No.	Comment	Response	Action Taken
	species is required to be reported as a compliance test. **Solution:** Remove this condition and maintain the 2015 permit requirement or provide further clarification for the reporting requirement in the quarterly SMR submittal.		
23.	**Order Location:** Page 56, Attachment E, Section 5.1.6 **General Issue:** The accelerated monitoring schedule does not account for the fact that AES Alamitos does not discharge continuously. It might be infeasible to collect the first of four accelerated monitoring tests within seven calendar days of us becoming aware of a failed result. **Solution:** Recommend adding the following language, "the Discharger shall ensure the first of four accelerated monitoring tests is initiated within seven calendar days *or at the next discharge event if there is no discharge within the seven days* of the Discharger becoming aware of the result."	The sentence referenced in Attachment E, Section 5.1.6. is edited as follows: "However, if the sample is contracted out to a commercial laboratory, the Discharger shall ensure that the first of four accelerated monitoring tests is initiated within seven calendar days of the Discharger becoming aware of the result, <u>or at the next discharge event if no discharge occurs within seven days</u>."	Revisions made to the tentative permit
24.	**Order Location:** Page 58, Table E-6 – Receiving Water Monitoring Requirements **General Issue:** The monitoring requirements have been changed substantially from those included in the 2015 permit – in some cases the new requirements are favorable to AES, but in some cases they are unfavorable. Although water quality monitoring is still required twice per year, the footnotes that formerly required monitoring be conducted during winter and summer, on both ebb and flood tides, and that temperature be conducted at one-meter depth intervals have been removed. Additionally, Footnote	The notes from Order R4-2015-0173, Table E-4, that are referenced in the comment still apply to this discharge. Therefore, a few of the notes to Table E-6 are edited as follows: Note a: Receiving water pH, temperature and salinity must be analyzed concurrent with effluent ammonia monitoring. Note c (applies to ammonia and priority pollutants): Monitoring is required solely at Monitoring Locations RSW-010 and RSW-011. Note d (applies to pH, temperature and salinity): Semi-annual monitoring shall be conducted in summer and in	Revisions made to the tentative permit

No.	Comment	Response	Action Taken
	a. in Table E-6 states that receiving water pH, temperature and salinity must be analyzed concurrently with effluent priority pollutant monitoring. Monitoring for ammonia and priority pollutants was only required at two stations (RSW-010 and RSW-011) in the 2015 permit, but that footnote has been removed, and monitoring is now required at all 12 stations. Monitoring for dissolved oxygen also has been removed. Lastly, monitoring for Enterococcus now is only required once per year (rather than 5 times over a 30-day period). **Solution:** AES Alamitos requests that monitoring for priority pollutants be limited to stations RSW-010 and RSW-011, as was the case in the 2015 permit (and is supported by the fact sheet, Page F-50), and that monitoring for ammonia be limited to stations RSW-002, RSW-010 and RSW-011. AES also seeks clarification regarding footnote a. in Table E-6. It is unclear the reasoning that receiving water pH, temperature and salinity is required to be analyzed concurrently with effluent priority pollutant monitoring. These parameters were formerly required to be collected at the same time as ammonia samples. Please also specify whether the prior requirements for monitoring are still required (i.e. during winter and summer, on both ebb and flood tides, etc.).	winter. All monitoring locations shall be sampled on both the flood and ebb tides during each semi-annual survey, as near to the start of the flood and ebb tides as is practicable. Note e (applies to temperature): Temperature profiles shall be measured semi-annually (summer and winter) each year at each monitoring location from surface to bottom at a minimum of one-meter intervals. Note f (applies to priority pollutants): Priority Pollutants are those constituents referred to in 40 CFR section 401.15; a list of these pollutants is provided as Appendix A to 40 CFR part 423.	
25.	**Order Location:** Page 63, Attachment E, Section 8.4.2 **General Issue:** The Bight program runs on a 5-year cycle and the last one was 2018 and most reports are not published for another two to three years. The new Order also requires AES Alamitos participate in “each Bight Regional Monitoring Program,” however, does	The sentence referenced in the comment (from Attachment E, Section 8.4.2.) is edited as follows: “Discharger participation in the 2023 Bight Regional Monitoring Program is required as a condition of this Order if discharge beyond the December 31, 2023 OTC Policy compliance date is a possibility.”	Revisions made to the tentative permit

No.	Comment	Response	Action Taken
	not mention that the level of participation shall be similar to previous regional surveys. Since the goal for AES Alamitos is the elimination of its discharge by December 2023, AES Alamitos does not want to be committed to an alteration of its monitoring program when the resulting sampling may have no future value to either the regulators or AES Alamitos. **Solution:** Since OTC is planned to cease by end of 2023, AES requests the following change; "Discharge participation in each Bight Regional Monitoring Program is required as a condition of this Order/Permit *if OTC discharge beyond 2023 is a possibility*."		
26.	**Order Location:** Page 63, Attachment E, Section 9 **General Issue:** The visual monitoring of the receiving water sampling points does not account for the variable operation of the AES facility and that the site does not discharge continuously. The facility typically operates less frequently during the winter months since the plant is only required to operate for grid reliability. Additionally, since the facility operates at a reduced frequency during winter, opportunities to sample can be limited due to the weather conditions. The run profile of our units is out of AES Alamitos's control, so it's possible that receiving water monitoring may need to be completed on a day when there are no units running. The permit also indicates that visual observations of the receiving water shall occur when receiving water monitoring occurs. Its not clear whether observations need to be recorded at the discharge during the entire duration of receiving water monitoring or once during the course of monitoring.	The first sentence of Attachment E, Section 9.2. is edited as follows: "General observations of the receiving water shall occur once during receiving water monitoring at a time when the Facility is discharging."	Revisions made to the tentative permit

No.	Comment	Response	Action Taken
	Solution: Alamitos requests the new Order include a statement about the variable operation of the AES facility and that the site does not discharge continuously. AES will try to coordinate during times of discharge; however, since receiving water monitoring is tidal dependent and weather dependent, there should be exceptions to those instances if it is not feasible to coordinate monitoring while the facility is discharging. AES requests the following statement be added, "Visual monitoring of the receiving water sampling point shall be conducted once during the course of receiving water monitoring when the facility is discharging."		
27.	**Order Location:** Page 65, Table E-10- Monitoring Periods and Reporting Schedule. **General Issue:** The due date for the annual receiving water monitoring report remains as February 1st, unchanged from the 2015 permit. With the exception of Alamitos and Haynes Generating Stations, all other annual reports for generating stations within the jurisdiction of the Los Angeles Regional Board are due on March 1st. The early due date for Alamitos (and Haynes) can make it challenging to complete all sample analyses (particularly sorting of benthic infaunal samples and identification of organisms present) and compilation of data for the annual report (particularly flow data for the entire calendar year). **Solution:** AES Alamitos requests the annual receiving water monitoring report be due on March 1st of each year similar to the other Region 4 permits.	Table E-10 indicates that for sampling that occurs once per year the report is to be submitted with the next quarterly SMR report. For sampling periods ending on December 31 the next quarterly monitoring report is due on February 15. In Order R4-2015-0173 these reports were due on February 1. Therefore, the tentative permit does provide additional time to submit the reports.	None necessary
28.	**Order Location:** Page 70, Table F-1 – Facility Information	The Facility zip code is corrected to "90803" in Table F-1.	Revisions made to the

No.	Comment	Response	Action Taken
	General Issue: The zip code is not accurate for the Facility Address or Mailing Address. **Solution:** Revise zip code to 90803		tentative permit
29.	**Order Location:** Page 72, Attachment F, Section 2 **General Issue:** The remaining capacity of 1,120 megawatts is slightly inaccurate. **Solution:** Recommend revising to approximately 1,135 MW (nameplate capacity is 1,135.27 MW).	The generating station capacity is corrected to "approximately 1,135 megawatts" in Attachment F Section 2.	Revisions made to the tentative permit
30.	**Order Location:** Page 123, Attachment G, Section 6 **General Issue:** The first sentence states that the "SWPPP shall include a narrative description of the facility's industrial activities, as identified in section 4.5 above…." The referenced section does not appear to be accurate. **Solution:** The referenced sections shall be revised to section 6.A – Industrial Processes.	Attachment G, Section 4.E requires the Discharger to identify areas of industrial activity on a map. Attachment G, Section 6 then requires a narrative description of the areas identified in Section 4.E. The reference has been corrected	Revision made to the tentative permit
31.	**Order Location:** Page 127, Attachment G, Section 9 **General Issue:** More clarity on the site compliance evaluation would be welcomed. The time of the evaluation is confusing as the reporting year is January through December and has four separate quarterly reporting periods. Furthermore, this section states that if the SWPPP shall be revised, it must be implemented within 10 days of approval by the Executive Offer or no later than 90 days after submission to the Regional Water Board. This is extremely vague and burdensome; for instance, a simple revision to the Pollution Prevention Team would require submittal to the Board and approval by the EO.	To clarify the requirements of the SWPPP in Attachment G, the first paragraph of Attachment G Section 9 is replaced with the following: The Facility operator shall conduct one comprehensive site compliance evaluation each year. The SWPPP shall be revised, as appropriate, and submitted to the Regional Water Board along with the annual monitoring report. The revisions shall be implemented no later than 90 days after submission. The evaluation is subject to review by the Regional Water Board Executive Officer and modifications may be required. Evaluations shall include the following:	Revisions made to the tentative permit

No.	Comment	Response	Action Taken
	Solution: A clear statement clarifying the requirement to remove ambiguity would be helpful. AES Alamitos recommends one final compliance evaluation be completed at the end of the reporting year (i.e. during the 4th quarter) and submitted with the annual report. Furthermore, AES Alamitos recommends that the requirement to review our SWPPP on an annual basis remains an expectation of the facility and any revisions/modifications to the plan are noted within the revision page and approved during the annual site visit by the Regional Board.		

Miscellaneous Minor Modifications - Tentative Order No. R4-2020-XXXX (additions are underlined/ and deletions are stricken out)**:**

1. Order – Page 6, Table 5 and Fact Sheet – Page F-43, Table F-16, deleted the Average Monthly Effluent Limitation for copper, wet weather, Discharge Point 003, lbs/day.
2. Order – Page 15, Section 6.3.6., deleted the language "~~is suspended, modified or amended under any of the circumstances set forth in the OTC Policy section 2.B.(2)~~" at the end of the 3rd paragraph and replaced with " for the Facility established in Section 3.E, Table 1 of the OTC Policy, or any later date established in accordance with the Final Compliance Date suspension provisions in Section 2.B(2) of the OTC Policy."
3. Fact Sheet – Page F-19, Section 3.3.12, added this sentence to the end of the 2nd last paragraph, Once the amendment to the OTC Policy is approved by the Office of Administrative Law (OAL), this Order implements the Final Compliance Date of December 31. 2023".
4. Fact Sheet – Page F-19, Section 3.3.12., modified text of the last paragraph to read, "…Final Compliance Date for the Facility established in Section 3.E, Table 1 of the OTC Policy, or any later date established in accordance with the Final Compliance Date suspension provisions in Section 2.B(2) of the OTC Policy ~~unless the Final Compliance Date is suspended, modified or amended under any of the circumstances set forth in the OTC Policy section 2.B(2).~~
5. Fact Sheet – Page F-48, Section 6.2.6, added text to last paragraph to read, "..Final Compliance Date for the Facility established in Section 3.E, Table 1 of the OTC Policy, or any later date established in accordance with the Final Compliance Date suspension provisions in Section 2.B(2) of the OTC Policy) ~~unless the Final Compliance Date is suspended, modified or amended under any of the circumstances set forth in the OTC Policy section 2.B(2).~~