

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

LOS ANGELES REGION

320 West 4th Street, Suite 200

Los Angeles, California 90013

<https://www.waterboards.ca.gov/losangeles>

Tentative

**TERMINATION OF WASTE DISCHARGE
REQUIREMENTS
FOR THE PORT OF LONG BEACH (MIDDLE HARBOR
REDEVELOPMENT PROJECT, FILE NO. 09-204 AND
NRG GENERATING STATION INTAKE STRUCTURE
DEMOLITION, FILE NO. 16-134)**

ORDER NO. R4-2021-XXXX

The California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) finds:

1. On February 4, 2010, the Los Angeles Water Board adopted Waste Discharge Requirements (WDRs) in Order No. R4-2010-0020 for the Port of Long Beach (POLB) for discharging fill into waters of the U.S. and performing dredging/excavation, demolition, and other construction activities associated with the 10-year Middle Harbor Redevelopment Project (Middle Harbor Project). This Order also fulfilled the requirements for a Clean Water Act Section 401 Water Quality Certification for the project.
2. On October 13, 2014, the Los Angeles Water Board renewed Order No. R4-2010-0020 by adopting Order No. R4-2014-0202. On April 17, 2017, the Los Angeles Water Board amended the WDRs for the Middle Harbor Project by adopting Order No. R4-2014-0202-A01. Finally, on June 13, 2019, the Los Angeles Water Board amended the WDRs for the Middle Harbor Project by adopting Order No. R4-2014-0202-A02. This final amended Order allowed an additional 230,000 cubic yards of cleanup material from the Middle Harbor Project to be placed within the Slip 3 borrow area. The Order expiration date is January 31, 2022. The Middle Harbor Project was complete on April 2, 2021.

Tentative Termination of WDRs for the Port of Long Beach (Middle Harbor Project & Long Beach Generating Station Project)

3. On February 2, 2017, the Los Angeles Water Board adopted WDRs in Order No. R4-2017-0044 for the POLB for demolition and removal of the existing seawater intake structure used by the NRG Long Beach Generation Station in Long Beach Harbor and dredging and disposal of a maximum volume of 1,500 cubic yards of sediment (Long Beach Generating Station Project). This Order also fulfilled the requirements for a Clean Water Act Section 401 Water Quality Certification for the project.
4. On April 16, 2020, the Los Angeles Water Board amended Order No. R4-2017-0044 by adopting Order No. R4-2017-0044-A01 to provide a time extension of the Order expiration date from June 30, 2020 to June 30, 2021, to allow sufficient time to complete the Long Beach Generating Station Project. A total of 629 cubic yards of material was dredged and disposed of at an upland site. The Long Beach Generating Station Project was complete in September 2020.
5. The Los Angeles Water Board finds that the requirements in the aforementioned WDRs are no longer needed, since both projects have been completed, and therefore should be terminated, except for enforcement purposes.

The Los Angeles Water Board has notified the POLB and interested agencies and persons of its intent to consider termination of Order No. R4-2014-0202-A01 as amended by Order No. R4-2014-0202-A02 and Order No. R4-2017-0044-A01 and has provided them with an opportunity to submit their comments. The Los Angeles Water Board, in a public hearing, heard and considered all comments and testimony pertinent to this Termination Order.

The Executive Officer is authorized, and is hereby directed, to certify and submit copies of this Termination Order to the POLB and to such individuals and governmental agencies as may be needed or required.

I, Renee Purdy, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the Los Angeles Water Board on October 14, 2021.

Renee Purdy
Executive Officer