

## Los Angeles Regional Water Quality Control Board

April 1, 2015

Mr. Ken H. Riesz, Plant Manager  
El Segundo Generating Station  
El Segundo Power, LLC  
301 Vista Del Mar Blvd.  
El Segundo, CA 90245

Dear Mr. Riesz:

**TRANSMITTAL OF TIME SCHEDULE ORDER – EL SEGUNDO POWER, LLC, EL SEGUNDO GENERATING STATION, 301 VISTA DEL MAR BLVD., EL SEGUNDO, CALIFORNIA (NPDES PERMIT NO. CA0001147, CI-4667)**

Our letter dated February 27, 2015, transmitted the tentative Time Schedule Order (TSO) for the El Segundo Generating Station. The facility is currently regulated under waste discharge requirements contained in Order No. R4-2015-0029, adopted by this Regional Water Board on February 12, 2015. Order No. R4-2015-0029 becomes effective on April 1, 2015. The tentative TSO extends the effective date for the pH limitation compliance in the retention basin discharge from April 1, 2015, to July 1, 2015.

As of March 30, 2015, the comment submittal deadline, no comments were received at the Regional Water Board. Therefore, the Executive Officer, pursuant to his delegated authority from the Regional Water Board, administratively issues this Time Schedule Order No. R4-2015-0060 without a public hearing.

A hard copy of this TSO will be sent only to the Discharger. Other interested parties will receive a copy via email. The TSO is also available on the Regional Water Board's website: [www.waterboards.ca.gov/losangeles/](http://www.waterboards.ca.gov/losangeles/).

If you have any questions, please contact Dr. Jau Ren Chen at (213) 576-6656.

Sincerely,



*for* Cassandra D. Owens, Chief  
Industrial Permitting Unit

cc: (via email only):

David Smith, Environmental Protection Agency, Region 9, Permits Branch (WTR-5)  
NPDES Wastewater Unit, State Water Resources Control Board, Division of Water Quality  
Kenneth Wong, U.S. Army Corps of Engineers

Bryant Chesney, NOAA, National Marine Fisheries Service

Jeff Phillips, Department of Interior, U.S. Fish and Wildlife Service

William Paznokas, Department of Fish and Wildlife, Region 5

Tim Smith, Los Angeles County, Department of Public Works, Waste Management Division

Bellete Yohannes, City of Los Angeles, Bureau of Sanitation, Industrial Waste Management

Teresa Henry, California Coastal Commission, South Coast Region

Angelo Bellomo, Los Angeles County, Department of Health Services

Peter Shellenbarger, Heal the Bay

Liz Crosson, Los Angeles Waterkeeper

Anna Kheyfets, Natural Resources Defense Council

Jason Weiner, Ventura Coastkeeper

Katherine Rubin, Los Angeles Department of Water and Power

George Piantka, NRG Energy, Inc., West Region

Alexander Sanchez, NRG Energy, Inc., West Region

Bill Probasco, NRG, Ormond Beach Generating Station

Scott Warnock, NRG, Ormond Beach Generating Station

Thomas DiCiolli, NRG, Mandalay Generating Station

Coury McKinlay, AES Alamosa, LLC

Kristy Allen, Tetra Tech

Jae Kim, Tetra Tech

**State of California  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

**TIME SCHEDULE ORDER NO. R4-2015-0060**

**REQUIRING EL SEGUNDO POWER, LLC  
(EL SEGUNDO GENERATING STATION)  
TO COMPLY WITH REQUIREMENTS PRESCRIBED IN  
ORDER NUMBER R4-2015-0029  
(NPDES PERMIT NO. CA0001147)**

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

1. El Segundo Power, LLC (hereinafter, Discharger or Permittee) is the owner and operator of the El Segundo Generating Station (hereinafter Facility), a steam electric generating facility, located at 301 Vista del Mar, El Segundo, California.
2. The Facility formerly had four natural gas fired steam electric generating units (Units 1 through 4). The Discharger has replaced Units 1 and 2 with two trains of fast start, highly efficient combined cycle generation, referred to as rapid response combined cycle, or "R2C2" (Units 5, 6, 7 and 8). Units 5, 6, 7, and 8 were completed in March 2013 with a commercial operation date of August 1, 2013. The repowered units utilize air cooled condensers that do not use cooling water from the ocean. In May 2010, the Discharger suspended discharge of the once-through cooling water associated with Units 1 and 2, low volume wastes, and other associated process waters at Discharge Point 001. The outfall was then hydraulically sealed on July 7, 2011. The Discharger further retired Unit 3 on July 22, 2013. Currently, Unit 4 is the only remaining unit that uses once-through cooling water at the Facility. This unit is scheduled for retirement by December 31, 2015.
3. On February 12, 2015, the Regional Water Board adopted Order No. R4-2015-0029, which renewed the waste discharge requirements and NPDES permit for the El Segundo Generating Station. Order No. R4-2015-0029 serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CA0001147) Program and regulates the discharge of the effluents at the Facility. The permit authorizes the discharge of up to 200.08 million gallons per day (MGD) of combined wastewater consisting of once-through cooling water and in-plant wastewaters into the Pacific Ocean, a water of the United States through Discharge Point 002. Order No. R4-2015-0029 becomes effective on April 1, 2015.
4. The El Segundo Generating Station generates a number of low volume wastes which are routed to the retention basins for storage and treatment. The retention basin discharge is commingled with the once-through cooling water prior to discharging to the Pacific Ocean through Discharge Point 002. Based on the hydraulic capacity of the retention basin outlet, a maximum flow of 0.15 MGD will be discharged from the retention basins. The low volume wastes consist of wastewaters generated intermittently from floor drains, laboratory drains, boiler blowdown, reverse osmosis reject, Units 5-8 raw water tank overflow, and hydrostatic test water.

5. Section 423, title 40 of the Code of Federal Regulations (40 C.F.R) provides effluent limitations, guidelines and standards (ELGs) for steam electric power generating point sources. These ELGs are applicable to this Facility. With respect to the pH, it states: "The pH of all discharges, except once-through cooling water, shall be within the range of 6.0 – 9.0 standard units [40 C.F.R. § 423.12(b)(1)]."
6. Pursuant to the ELGs at 40 C.F.R section 423, Order No. R4-2015-0029 prescribes a new pH limitation of 6.0 to 9.0 for the low volume waste stream (i.e., retention basin discharge). The previous Order No. 00-084 included the same pH limitation but the limitation was applied to the final combined effluent in accordance with the 1997 California Ocean Plan. This pH limitation for the final combined effluent is retained in Order No. R4-2015-0029.
7. There is no pH monitoring data for the retention basin discharge during the previous permit term. However, based on limited field pH measurements obtained by the Permittee, the pH of the retention basin discharge will not consistently comply with the new pH limitation for the retention basin discharge contained in Order No. R4-2015-0029. Accordingly, pursuant to CWC section 13300, a discharge of waste is taking place and/or threatens to take place that violates requirements prescribed by the Regional Water Board.
8. California Water Code (CWC) section 13300 states:  
"Whenever a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the regional board, or the state board, or that the waste collection, treatment, or disposal facilities of a discharger are approaching capacity, the board may require the discharger to submit for approval of the board, with such modifications as it may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements."
9. On February 11, 2015, the Discharger submitted a written request for additional time – up to July 1, 2015, to identify, design and install appropriate pH monitoring, controls and associated treatment to ensure the pH of the retention basin discharge meets the new pH limitation. The Discharger indicated that the pH in the retention basin discharge may exceed the pH maximum limit of 9.0 based on limited field measurements. Currently, the retention basin discharge has no pH limitation and there is no automated pH monitoring or controls.
10. California Water Code section 13385, subdivisions (h) and (i), require the Regional Water Board to impose mandatory minimum penalties upon dischargers that violate certain effluent limitations. Section 13385(j)(3) exempts violations of an effluent limitation from mandatory minimum penalties "where the waste discharge is in compliance with either a cease and desist order issued pursuant to Section 13301 or a time schedule order issued pursuant to Section 13300, *if all of the [specified] requirements are met.*" (emphasis added).
11. In order to comply with the pH limitation in the retention basin discharge, the Permittee will evaluate chemical addition options that could include a treatment skid and automated pumps and valves to manage flow as well as other non-chemical addition options within the three-month period from April 1, 2015 to July 1, 2015. The Regional Water Board issues this Time Schedule Order (TSO) in recognition that the Discharger needs time to complete necessary studies, and implement appropriate control measures. Through this TSO, the Discharger will be required to comply with the final pH limitation in the retention basin discharge no later than July 1, 2015.

12. In accordance with California Water Code section 13385(j)(3)(B)(i), the Regional Water Board finds that: (a) the final pH effluent limitation for the retention basin discharge is a new limitation in Order No. R4-2015-0029, (b) the Discharger needs to implement new or modified control measures in order to comply with the new pH effluent limitation, and (c) the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.
13. This TSO requires an increase in the pH monitoring frequency in the final effluent from weekly to daily to demonstrate there is no adverse effect on the quality of the final effluent and daily monitoring of pH in the retention basin discharge, during the three-month period from April 1, 2015 to June 30, 2015.
14. CWC section 13385(j)(3)(D) requires the Permittee to prepare and implement a Pollution Prevention Plan (PPP) pursuant to CWC section 13263.3.
15. A TSO is appropriate in these circumstances to allow time for the Permittee to implement necessary control measures that will bring the Facility into compliance with the final pH limitation. The installation of necessary control measures cannot be completed within 30 calendar days. The temporary pH exceedances allowed by this TSO are in the public interest given the significant environmental benefits associated with promptly achieving compliance with the final pH effluent limitation for the retention basin discharge.
16. Pursuant to CWC section 13385(j)(3), full compliance with the requirements of this TSO exempts the Permittee from mandatory minimum penalties only for violations of the final pH limitation in the retention basin discharge contained in Order No. R4-2015-0029 that occur after the effective date of this TSO.
17. This TSO concerns an existing facility and does not significantly alter the status with respect to the facility. This TSO is also being taken for the protection of the environment. Therefore, issuance of this TSO is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21100, et seq.) in accordance with sections 15301 and 15321(a)(2) of Title 14 of the California Code of Regulations (CCR).
18. The Regional Water Board has notified the Permittee and interested agencies and persons of its intent to issue this TSO concerning compliance with waste discharge requirements.
19. Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and CCR, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the Regional Water Board action, except that if the thirtieth day following the action falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

**IT IS HEREBY ORDERED** that, pursuant to California Water Code section 13300, the El Segundo Power, LLC, as owner and operator of the El Segundo Generating Station, shall comply with the requirements listed below to ensure its discharges comply with the final pH limitation in the retention basin discharge contained in Order No. R4-2015-0029:

1. From April 1, 2015, to June 30, 2015, the Permittee shall conduct the following tasks:
  - Perform daily pH monitoring in the final combined effluent.
  - Perform daily pH monitoring in the retention basin discharge. The sample shall be taken downstream of all treatment measures, if any, established for the retention basin discharge. The maximum and minimum pH values shall be reported if an automated monitoring device for pH is installed in the retention basin.
  - Submit a monthly report containing the pH monitoring results of the previous month, the activities completed during the previous month as well as the proposed and on-going activities to modify the pH in the retention basin discharge to the Regional Water Board by 10<sup>th</sup> of the following month. The first monthly report covering the activities in April 2015 shall be received by the Regional Water Board by May 11<sup>th</sup>, 2015, since May 10<sup>th</sup>, 2015 is a Sunday.
  - Submit a Pollution Prevention Plan (PPP) work plan pursuant to CWC section 13263.3.
2. The Permittee shall achieve full compliance with the final pH limitation (between 6.0 and 9.0) in the retention basin discharge as soon as possible, but no later than July 1, 2015.
3. Any person signing a document submitted under this TSO shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”
4. If the Permittee fails to comply with any provision of this TSO, the Regional Water Board may take any further action authorized by law. The Executive Officer, or his/her delegee, is authorized to take appropriate enforcement action pursuant, but not limited to, CWC sections 13350 and 13385. The Regional Water Board may also refer any violations to the Attorney General for judicial enforcement, including injunction and civil monetary remedies.
5. All other provisions of Order No. R4-2015-0029 not in conflict with this TSO are in effect on April 1, 2015.
6. The Regional Water Board may reopen this TSO at its discretion or at the request of the Permittee, if warranted. Lack of progress towards compliance with this TSO may be cause for the Regional Water Board to modify the conditions of this TSO.

7. This TSO becomes effective immediately upon issuance by the Regional Water Board.  
This TSO expires on July 1, 2015.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order administratively issued by the California Regional Water Quality Control Board, Los Angeles Region, on April 1, 2015.



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Samuel Unger, P.E., Executive Officer