

**From:** Shane G. Johnston <shane@BLUESUMMITINVEST.com>  
**To:** <jrobertus@waterboards.ca.gov>  
**CC:** <vrodriguez@waterboards.ca.gov>  
**Date:** 9/1/2009 10:59 AM  
**Subject:** South Bay Power Plant discharge permit - request to deny

Dear John and Vicente,

Please forward this letter to the Regional Water Boardmembers and Chairman Richard Wright, stating my concerns of the antiquated discharge system at South Bay Power Plant.

Thank you,  
Shane Johnston  
Socially Responsible Investment Professional  
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September 1, 2009

Chairman Richard Wright and Regional Water Boardmembers  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

**RE: Urge DENIAL of water discharge permit for the South Bay Power Plant.**  
NPDES Waste Discharge Requirements for permit No. CA0001368, Order No. R9-2004-0154 for Dynegy South Bay, LLC- South Bay Power Plant

Dear Chairman Wright and Boardmembers:

I am writing today to strongly urge you to **deny** reissuance or extension of the water discharge permit for the South Bay Power Plant (SBPP). The current permit expires in November after which the discharge can and should be scheduled for termination.

The evidence that this power plant discharge devastates San Diego Bay is clear and compelling. This discharge has had major and negative impacts to water quality for almost 50 years. The Regional Board has the authority and discretion to terminate this discharge and the appropriate action now is to set a timeline for termination of the discharge. There are already sufficient findings of negative impacts to San Diego Bay to deny continued discharges.

Our firm manages over \$80M in assets, invested by the socially and environmentally conscious citizens of San Diego County. We place a high value on environmental preservation and we do not want the polluting of the San Diego Bay to continue.

There is no reason to continue the devastating use of Bay water for cooling the SBPP for another five years. The South Bay Power Plant has blighted South Bay communities

long enough. The use of the sensitive Bay waters for cooling the power plant is destructive and undermines recovery of the Bay and its ecological health. The plant's air emissions continue to contribute to our poor air quality and the location of the plant frustrates important development for local communities.

I urge you to set this issue as a high priority for action by the Board and schedule a workshop very soon to be held in Chula Vista to discuss termination of this discharge. I strongly oppose reissuance or extension of the current waste discharge permit.

There is no higher priority for our community.

Thank you for consideration of my comments.

Sincerely,

Shane Johnston

**Shane G. Johnston, AIF®**  
*Accredited Investment Fiduciary*

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