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CC: "John Robertus" <JRobertus@waterboards.ca.gov>, ""Vicente Rodriguez"" <V...>
Date: 9/1/2009 1:37 PM
Subject: Agenda Item 7 report SBPP 9/9/2009
Attachments: ltrRWQCB SBBP 9-1-09.pdf

The Sierra Club San Diego Chapter submits the attached letter for Agenda Item 7 RWQCB meeting September 9, 2009

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September 1, 2009

State of California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court Suite 100
San Diego, California 92123-4353
Attention: Mr. John H Robertus, Executive Officer
Mr. Vicente Rodriguez

Subject: Agenda Item 7. Report: Reissuance NPDES Dynegy South Bay, LLC South Bay Power Plant September 9, 2009 RWQCB meeting

Dear Chairman Wright and Members of the Board:

Thank you for holding this information agenda item on the reissuance of the NPDES Order No. R9-2004-0154 for the South Bay Power Plant. This permit was originally scheduled for a hearing this coming November. However, on July 20, 2009 the Regional Board notified Dynegy an administrative continuance on this order.¹ The reason for the continuance is to allow time additional time to prepare a new draft NPDES taking into consideration the new policy for one-through-cooling power plants that is being developed by the State Water Resources Control Board.

We are opposed to the reissuance of the NPDES permit current or a revised version because the South Bay Power Plant has caused significant environmental harm to the aquatic ecosystem of San Diego Bay. These include losses of aquatic life at all life stages from eggs, larvae, and on up to the adult stage by impingement and entrainment in the cooling. Copper that is present in the cooling condensers alloy leaches out adding to the copper loading in the surrounding waters.

The South Bay Power Plant is located in an enclosed bay. We respectfully disagree with the Board response to comments² that states:

The degradation of aquatic life attributable to the South Bay Power plant discharge is not unique and is comparable to the degradation effects seen at other coastal power plants in the San Diego Region and throughout California.

The South Bay physical oceanographic properties exacerbate the environmental impacts of the power plant that are not present in coastal waters. These include; shallow water depth, 1 to 4 meters, and very low tidal flushing (water is exchanged only every 30 or so days). The low tidal exchange means that pollutants are not readily flushed away. The solar heating causes the shallow South Bay

¹ Ltr. RWQCB, J.R. Robertus Executive Officer to D.P Thomson, Vice President Dynegy South Bay, LLC. July 20,2009

² Ltr: RWQCB, J.R. Robertus Executive Officer to Mr. Castaneda and Ms Benoussan, Chula Vista Mayor and City Council Members Aug. 31, 2009

to be warmer than the seaward portions of the Bay during the summer. The power plant heated cooling water discharged into the Bay also increases the water temperature. Elevated water temperatures reduce water oxygen levels and increase chemical toxicity, both adding stress to aquatic life.

The Final Draft Clean Water Act Section 305(b) and 303(d) Integrated Report³ for the San Diego Region has identified nine locations in the South Bay that are impaired for benthic community and toxicity for which the TMDL has not yet been completed. The environmental impacts of the South Bay Power Plant add to the degraded conditions in South Bay.

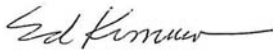
The South Bay Power Plant consisting of four generating units ranging in age from 38 to 49 years old is obsolete. These units are thermally inefficient (measured by the amount of thermal energy to produce 1 kWh of electricity) expressed in percent. The efficiency ranges from 28 to 34%. Modern day combined cycle power plants have efficiencies of 48 % or higher. Retiring this inefficient power plant will reduce greenhouse gases emissions.

In conclusion, the South Bay Power Plant should not be allowed to continue operation because of the unique unsuitable oceanographic and degraded environmental conditions in South Bay. Continued operation will further degrade the aquatic life and ecosystem and will be counterproductive to the numerous TMDL actions in process and to those that are yet to be developed.

In summary, we recommend that workshop be held to air the issues related to denying the reissuance of the NPDES permit for South Bay Power Plant to be followed by a hearing in the very near future to decide on the denial of its reissuance.

Thank you for this opportunity to submit these comments.

Sincerely,



Edward Kimura
Chair Water Committee

³ Regional Water Quality Control Board, Clean Water Act Section 305(b) and 303(d) Integrated Report for the San Diego Region, Draft Final Staff Report, August 2009 Appendix G Category 5 Water Body Segments
http://www.waterboards.ca.gov/sandiego/water_issues/programs/303d_list/ref_reports/category5_report.shtml