



316(b)  
Once Through Cooling  
Deadline: 9/25/06 5pm

September 14, 2006

Tam Doduc, Chair  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814



Dear Ms. Doduc:

The California League of Food Processors (CLFP) is submitting comments regarding the proposed State 316(b) policy that was outlined in the Scoping Document issued June 13, 2006 and discussed at the recent scoping meeting in Sacramento on July 31, 2006. CLFP represents most of the fruit and vegetable processors in the state, and these firms use significant amounts of electricity in their operations. CLFP believes this proposal, as written, could have serious negative effects on the electric system reliability and on the cost of electricity.

Currently, the coastal generating stations are working to comply with the federal rules which implement Clean Water Act 316 (b). This rule requires significant reductions in impacts to aquatic life. The generating companies are spending resources and money to comply with the federal rule. The federal rule allows a range of reduction, recognizing the differences between the various generating locations.

The proposal by the State Water Resources Control Board requires that generating stations meet the maximum reduction percentages required by the federal rule. It also removes other elements of flexibility in the federal rule, which were designed to allow compliance across a broad range of different circumstances. Without this flexibility, individual plants may be forced to limit cooling water intake thus reducing power production or, be faced with expensive retrofits of intake structures that could prove not to be cost effective. If expenses cannot be recovered, the retrofits may not be installed forcing plants to be abandoned.

It is not clear why a policy to implement this Federal rule must be adopted by the State Board. If one must be adopted, it must be designed so that every plant can comply at full power output levels. Anything short of that endangers the reliability of the grid during periods of peak demand.

Our members cannot withstand the costs and burdens associated with such a power loss. We urge the State Board to either reject this proposal or conduct more extensive hearings as to the negative impacts on California's electric supply and reliability.

Sincerely,

Rob Neenan  
Director of Regulatory Affairs  
CC: Celeste Cantu, Executive Director  
Gerald Secundy  
Arthur Baggett  
Charles Hoppin  
Gary Wolff