



**Linda S. Adams**  
Secretary for  
Environmental Protection

# State Water Resources Control Board

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## Executive Office

**Charles R. Hoppin, Chairman**  
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**Arnold Schwarzenegger**  
Governor

**REVISED**

## NOTICE OF ADOPTION MEETING

### PROPOSED WATER QUALITY CONTROL POLICY ON THE USE OF COASTAL AND ESTUARINE WATERS FOR POWER PLANT COOLING

**NOTICE IS HEREBY GIVEN THAT** the State Water Resources Control Board (State Water Board) will hold a public meeting to consider adopting the Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling (Policy). The location and time of the meeting are provided below.

**Tuesday, May 4, 2010 – 9:00 a.m.**  
**Cal/EPA Headquarters Building**  
**Coastal Hearing Room**  
**1001 I Street, 2nd Floor**  
**Sacramento, CA 95814**

#### **BACKGROUND**

The proposed Policy establishes technology-based standards to implement federal Clean Water Act section 316(b) and reduce the harmful effects on marine and estuarine life associated with cooling water intake structures. The proposed Policy would apply to the 19 existing power plants (including two nuclear plants) that currently have the ability to withdraw over 15 billion gallons per day from the State's coastal and estuarine waters using a single-pass system, also known as once-through cooling.

Cooling water withdrawals cause adverse impacts when larger aquatic organisms, such as adult fish, are trapped against a facility's intake screens (impingement) and when smaller organisms, such as larvae and eggs, are drawn through the cooling system (entrainment) and killed. In California, millions of fish are impinged and billions of larvae and eggs are entrained annually.

Section 316(b) is implemented through National Pollutant Discharge Elimination System (NPDES) permits, issued by the Regional Water Quality Control Boards (Regional Water Boards). Because there currently are no federal or state standards for implementing section 316(b) for existing power plants, permit writers must use their best professional judgment when re-issuing NPDES permits. Due to the resources required to evaluate the complex technical and biological issues related to intake structures, this approach puts a significant permitting burden on the Regional Water Boards and

provides the potential for inconsistency in regulation of power plants that contribute to the statewide power grid. The proposed Policy would provide clear standards and consistency in implementation of section 316(b) in the State's NPDES permit program, and ultimately make better use of both stakeholder and Water Board resources.

### **DOCUMENT AVAILABILITY**

The proposed draft Final Policy and the draft Final Substitute Environmental Document are available on the State Water Board's Web site at:

[http://www.waterboards.ca.gov/water\\_issues/programs/npdes/cwa316.shtml](http://www.waterboards.ca.gov/water_issues/programs/npdes/cwa316.shtml).

Alternatively, you may receive a paper copy in the mail by contacting Joanna Jensen at (916) 341-5582. To subscribe to an email list for future notifications about the proposed Policy, go to the State Water Board's Web site at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml), and choose "Ocean Issues – Once-Through Cooling".

### **SUBMISSION OF WRITTEN COMMENTS**

The State Water Board will accept written comments addressing only the recent changes from the November 23, 2009 version of the draft policy. Written comments must be received by **12:00 noon on April 13, 2010** and addressed to:

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

Comment letters may be submitted to the Clerk to the Board via email at [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) (if less than 15 megabytes in total size) or by fax at (916) 341-5620. Please indicate in the subject line: "**Comment Letter – OTC Policy**".

Couriers delivering comment letters must check in with lobby security personnel, who can contact Jeanine Townsend at (916) 341-5602.

### **PROCEDURAL MATTERS**

At this meeting, there will be no sworn testimony or cross-examination of participants. However, the State Water Board and its staff may ask clarifying questions. At the meeting, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient meeting in which all participants have an opportunity to participate, oral presentations may be time-limited. For other presentation recommendations, go to:

[http://www.waterboards.ca.gov/board\\_info/meetings/board\\_presentations.shtml](http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml) at the State Water Board's Web site. Questions concerning the **meeting** may also be directed to Joanna Jensen, Division of Water Quality, at (916) 341-5582.

### **PARKING AND ACCESSIBILITY**

For directions to the Joe Serna, Jr. (Cal/EPA) Building and public parking information, please refer to the map on the State Water Board Web site:

<http://www.calepa.ca.gov/EPAbldg/location.htm>.

The Cal/EPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922. An audio broadcast of the meeting will be available via the internet and can be accessed at: <http://www.calepa.ca.gov/broadcast/>.

All visitors to the Cal/EPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10<sup>th</sup> Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

**ADDITIONAL INFORMATION**

Please direct questions about this notice to Joanna Jensen at (916) 341-5582 ([jjensen@waterboards.ca.gov](mailto:jjensen@waterboards.ca.gov)) or Dominic Gregorio at (916) 341-5488 ([dgregorio@waterboards.ca.gov](mailto:dgregorio@waterboards.ca.gov)).

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March 24, 2010  
Date

  
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Jeanine Townsend  
Clerk to the Board