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GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

DEC 16 2015

Mr. Daniel Thompson  
Dynergy Moss Landing, LLC  
Moss Landing Power Plant  
Moss Landing, CA 95039

Dear Mr. Thompson:

### INFORMATION REQUIREMENTS FOR MOSS LANDING GENERATING STATION

On November 30, 2010, the State Water Resources Control Board's (State Water Board) Executive Director sent a letter requiring the submittal of an Implementation Plan (Plan) by April 1, 2011. The letter outlined mandatory information for the Plan, including actions for compliance with the Statewide Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling (Once-Through Cooling [OTC] Policy). Since the final compliance by October 1, 2015 was not feasible, interim mitigation measures must be identified in the Plan. Due to the current uncertainty with the conditions identified in implementation plans previously submitted from the OTC power plants with a near-term compliance deadline, further information and data input is necessary to conduct grid reliability analysis to determine the impact on local and system reliability.

Pursuant to the OTC Policy and California Water Code section 13383, the State Water Board requires that Dynergy provide the most current information for Moss Landing Generating Station (Moss Landing), updated from the previously-submitted Plan (See attachment).

Please note that a compliance date extension request requires an amendment to the OTC Policy. If and when circumstances that require an extension occur, Dynergy must submit a formal request for State Water Board consideration of an amendment to the compliance date set forth in the OTC Policy, along with supporting documentation. Please allow adequate time for the State Water Board to process a request. The State Water Board requires a minimum of one year to process an OTC Policy compliance date deferral request.

Submission of the requested information is required no later than 60 days from the date of this letter.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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Mr. Daniel Thompson

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Should you have any questions on this matter please feel free to contact Mr. Jonathan Bishop, Chief Deputy Director, at (916) 341-5820 [Jonathan.Bishop@waterboards.ca.gov](mailto:Jonathan.Bishop@waterboards.ca.gov) or Dr. Maria de la Paz Carpio-Obeso, Chief of the Ocean Standards Unit, at (916) 341-5858 [MarielaPaz.Carpio-Obeso@waterboards.ca.gov](mailto:MarielaPaz.Carpio-Obeso@waterboards.ca.gov).

Sincerely,

  
Thomas Howard  
Executive Director

Attachment:

MOSS LANDING GENERATING STATION (MOSS LANDING)

1. The following is the State Water Board's understanding of the proposed mechanism to bring each unit into compliance:

On April 7, 2015, the OTC amendment Policy was approved by the State Water Resources Control Board, changing the final compliance date for Moss Landing from December 31, 2017 to December 31, 2020. This Policy amendment will become effective upon approval by the Office of Administrative Law.

In the November 2014 updated implementation plan for Moss Landing, Dynegy stated its intent to implement Track 2 for Units 1 and 2 and identified its plans to achieve Track 2 compliance through prior flow reduction credits, use of operational controls, and installation of technology controls. Dynegy also stated its intent to achieve compliance with Track 2 for Units 6 and 7 by December 31, 2020, or to cease operation until such time compliance is achieved. In 2013, Dynegy announced it had secured a contract for the next three years for the output from Units 6 and 7. While Moss Landing is not located within a California Independent System Operator (ISO) local reliability area, power blocks 1 and 2 are newer dispatchable combined cycle facilities.

Please respond to the following questions and requests for information:

1. Does Dynegy still intend to achieve compliance through Track 2? If not, please provide an updated implementation plan.
2. Dynegy's recent Implementation Plan provided a compliance schedule for all Moss Landing units to meet the final retirement deadline of December 31, 2020. Are there any expected changes to this schedule? If so, please provide details.
3. Is Dynegy on track to conduct the impingement and entrainment studies detailed in paragraph 2.1.6(c) of the Settlement Agreement to achieve Track 2 compliance? Please provide details on the status of measures to reduce impingement and entrainment, including any studies undertaken in the previous calendar year.
4. What actions have been taken to obtain permits, obtain contracts or meet other regulatory obligations to implement the compliance mechanism identified above?