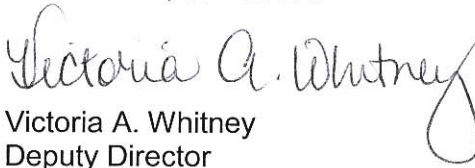


State Water Resources Control Board

TO: Deborah M. Cornez, Director
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

FROM: 
Victoria A. Whitney
Deputy Director
DIVISION OF WATER QUALITY

DATE: JAN 10 2014

SUBJECT: SUBMITTAL OF REGULATORY PROVISIONS OF AN AMENDMENT TO
THE WATER QUALITY CONTROL POLICY ON THE USE OF COASTAL
AND ESTUARINE WATERS FOR POWER PLANT COOLING

On June 18, 2013, the State Water Resources Control Board (State Water Board) adopted Resolution No. 2013-0018, amending the Water Quality Control Policy for the Use of Coastal and Estuarine Waters for Power Plant Cooling (Policy). The Policy establishes uniform, technology-based standards to implement federal Clean Water Act section 316(b), which requires that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available for minimizing adverse environmental impact. The amendment reassigns the responsibility for National Pollutant Discharge Elimination System (NPDES) Permit issuance to the Regional Water Boards.

Pursuant to Government Code section 11353, the regulatory provisions of the amendment are being submitted to the Office of Administrative Law (OAL) for approval. As required by that statute, this submittal includes all of the following:

- Seven copies of a clear and concise summary of the regulatory provisions with the completed STD. 400 form attached to the front of each;
- A summary of the necessity for the regulatory provisions, which will be found in the State Water Board's staff report;
- A certification by the Chief Counsel of the State Water Board that the action was taken in compliance with all applicable procedural requirements of the Porter-Cologne Water Quality Control Act, Water Code section 13000 et seq.; and
- The administrative record for the State Water Board proceedings on this matter.

The State Water Board's authority to adopt a Water Quality Control Policy is contained in Water Code section 13140.

We recommend that the regulatory summary be added as Subsection (c) to Title 23, Division 3, Chapter 22, section 2922 titled "Policy on the Use of Coastal and Estuarine Water for Power Plant Cooling."

If you have any questions regarding this submittal, you may contact Shuka Rastegarpour, Environmental Scientist with the Ocean Standards Unit at (916) 341-5576 (shuka.rastegarpour@waterboards.ca.gov); or Maria de la Paz Carpio-Obeso, Chief of the Ocean Standards Unit, at (916) 341-5858 (mcarpio-obeso@waterboards.ca.gov).

Attachments (4)

cc: (without attachments)

Jonathan Bishop, Exec
Marleigh Wood, OCC
Maria de la Paz Carpio-Obeso, DWQ
Shuka Rastegarpour, DWQ

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