



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
Monterey Bay National Marine Sanctuary  
250 Front Street  
Monterey, California 95540

January 26, 2009

Mr. Roger Briggs  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, California 93401

**SUBJECT: Comments on the Waste Discharge Requirements NPDES Permit for the Moss Landing Commercial Park and Moss Landing Cement Company & Facility Order No. R3-2009-002.**

Dear Mr. Briggs,

The Monterey Bay National Marine Sanctuary (MBNMS) has reviewed the Draft Waste Discharge Requirements Order No. R3-2009-002, National Pollutant Discharge Elimination System (NPDES) No. CA0007005, for the Permit for the Moss Landing Commercial Park and Moss Landing Cement Company & Facility.

The MBNMS reviewed this NPDES permit under its authority defined at 15 CFR Sections 922.49 and 922.134(b), and procedures defined in Section V.E of the Memorandum of Agreement on water quality protection within the Sanctuary (June 1992).

This Permit regulates the facility, which is a "green" cement plant, operated at the location of the former National Refractories and Minerals Corporation cement plant. The facility discharges calcium and magnesium depleted seawater into the Monterey Bay National Marine Sanctuary. As stated in the Draft Order, the Discharger plans to operate a pilot-scale operation with a daily average discharge of 0.04mgd and a daily maximum discharge of 0.05 mgd. The phase 1 operation will be followed by a prototype operation with a daily maximum discharge of 25 mgd, and ultimately, by a full-scale operation with discharge of up to 60mgd. The Discharger's precipitation process also utilizes carbon dioxide sparged from flue gases of the neighboring Moss Landing Power Plant.

MBNMS staff have been coordinating with RWQCB staff on the evaluation of this Permit for the past several months. We appreciate that RWQCB staff evaluated the potential effects of entrainment and impingement, as we previously requested, and found that the "relatively low flows of Moss Landing Harbor water through the Moss Landing Cement Plant would have negligible potential impingement and entrainment impacts". Additionally, we understand that the temperature of seawater will not be significantly raised as it moves from the intake location to the facility's outfall in the Monterey Bay. Lastly, we also understand, based upon conversations with RWQCB staff, that operation of this facility, in the proposed manner, will have beneficial environmental impacts by sequestering carbon dioxide within the cement. Combining the stack gas effluent of the neighboring power plant will allow the sequestration of millions of tons of carbon.

MBNMS-2008-026

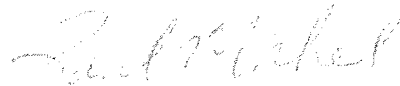
Item No. 9  
Attachment 5  
March 19-20, 2009 Meeting  
Moss Landing Commercial Park  
Reissue NPDES Permit



On the basis of the conditions defined in the draft NPDES permit and the monitoring and reporting program in the permit, the Sanctuary does not object to the issuance of this NPDES permit [15 CFR Section 922.49(e)]. Please send a copy of the signed permit to the Sanctuary office after the Regional Board adopts it at the March 20, 2009 public meeting.

Thank you for the opportunity to review this Permit for the Moss Landing Commercial Park and Moss Landing Cement Company & Facility. If you have any questions regarding our comments please contact Ms. Deirdre Hall in the MBNMS office by phone at 831-647-4207 or via email at [deirdre.hall@noaa.gov](mailto:deirdre.hall@noaa.gov). Thank you for your cooperation with the Monterey Bay National Marine Sanctuary.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul Michel".

Paul Michel  
Superintendent