

UNCONTESTED

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Bill Johnson)
MEETING DATE: July 13, 2011

ITEM: **5B**

SUBJECT: **GenOn Potrero, LLC, Potrero Power Plant, City and County of San Francisco – Rescission of NPDES Permit**

CHRONOLOGY: May 2006—NPDES Permit Reissued

DISCUSSION: This Tentative Order (Appendix A) would rescind the NPDES permit for the Potrero Power Plant, owned and operated by GenOn Potrero, LLC (formerly Mirant). The permit, which regulates the discharge of once-through cooling water and industrial stormwater, is no longer necessary because the plant ceased discharge in November 2010 and permanently ceased operations in February 2011.

The Potrero Power Plant has operated since 1965. Over the years, it has been a source of debate and controversy. Some have wanted the plant shut down because of its age, its contribution to blight in the community, and its impacts on air and water quality. However, to ensure that San Francisco would have enough electricity to serve peak demands, the California Independent System Operator (CISO) gave the plant Reliability Must Run status. With the recent construction of the Trans Bay Cable, which links power plants in Pittsburg to consumers in San Francisco, the plant is no longer necessary for peak demands, and the CISO has removed the plant's Reliability Must Run status. Without the Reliability Must Run status, the plant is no longer profitable, and Gen-On has closed the plant permanently. Rescinding the permit ensures that there will be no future discharge without Board action.

We received no comments on the Tentative Order and expect this item to remain uncontested.

RECOMMEND-
ATION: Adoption of the Tentative Order

CIWQS Place ID: 248992

Appendix: A. Tentative Order

APPENDIX A

Tentative Order

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

TENTATIVE ORDER No. R2-2011-XXXX

RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR

**GENON POTRERO, LLC
POTRERO POWER PLANT
CITY AND COUNTY OF SAN FRANCISCO**

WHEREAS the California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter “Regional Water Board”), finds that:

1. GenOn Potrero, LLC, owns and operates the Potrero Power Plant, located at 1201-A Illinois Street, San Francisco. The plant produces electricity. One of four generating units onsite withdraws and discharges cooling water from and to San Francisco Bay.
2. On May 10, 2006, the Regional Water Board reissued National Pollutant Discharge Elimination System (NPDES) Permit No. CA0005657 for the Potrero Power Plant through Order No. R2-2006-0032. The order permitted once-through cooling water and some industrial stormwater to be discharged into San Francisco Bay. The Regional Water Board also included mercury discharges from the Potrero Power Plant under the watershed permit implementing the San Francisco Bay Mercury TMDL, NPDES Permit No. CA0038849, Order No. R2-2007-0077.
3. The Potrero Power Plant ceased discharge on November 23, 2010, and ceased operations on February 28, 2011; therefore, NPDES Permit No. CA0005657 can be rescinded, along with coverage for mercury discharges under NPDES Permit No. CA0038849.
4. Pursuant to Water Code §13389, rescissions of waste discharge requirements are exempt from the provisions of the California Environmental Quality Act.
5. The Regional Water Board notified GenOn Potrero, LLC, and other interested agencies and persons of its intent to rescind the plant’s waste discharge requirements, and provided an opportunity to submit written comments and participate in a public hearing.
6. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the rescission of the waste discharge requirements.

IT IS HEREBY ORDERED, pursuant to the Clean Water Act and Division 7 of the California Water Code, and the regulations, plans, and policies adopted thereunder, that effective July 13, 2011, Order No. R2-2006-0032 (NPDES Permit No. CA0005657) is hereby rescinded, except for enforcement purposes. Likewise, the Potrero Power Plant's coverage under the provisions of NPDES Permit No. CA0038849, Order No. R2-2007-0077, is hereby terminated, except for enforcement purposes.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Region, on _____.

Bruce H. Wolfe
Executive Officer