

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

TENTATIVE ORDER NO. R2-2012-00XX

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR
GWF POWER SYSTEMS, L.P., THIRD STREET AND NICHOLS STREET PLANTS,
PITTSBURG AND BAY POINT, CONTRA COSTA COUNTY**

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

1. GWF Power Systems, L.P. (GWF), owns electrical power generating plants located at 895 East Third Street in Pittsburg and 555 Nichols Road in Bay Point, Contra Costa County. Each of these facilities formerly generated 18.2 megawatts of electricity by the combustion of petroleum coke in a fluidized bed.
2. On July 14, 2010, the Regional Water Board reissued National Pollutant Discharge Elimination System (NPDES) Permit No. CA0029106 for the East Third Street plant through Order No. R2-2010-0095. The order permitted 125,000 gallons of cooling water to be discharged into Suisun Bay. Also on July 14, 2010, the Regional Water Board reissued NPDES Permit No. CA0029122 for the Nichols Road plant through Order No. R2-2010-0096. The order permitted 125,000 gallons of cooling water to be discharged into New York Slough. The Regional Water Board included mercury discharges from these plants under NPDES No. CA0038849, Order No. R2-2007-0077.
3. GWF ceased its operations at both plants, and all discharges, on February 16, 2012; therefore, NPDES Permit Nos. CA0029106 and CA0029122 can be rescinded, along with coverage for mercury under NPDES Permit No. CA0038849.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 GWF and other interested agencies and persons of its intent to rescind these 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 immediately Order Nos. R2-2010-0095 (NPDES Permit No. CA0029106) and R2-2010-0096 (NPDES Permit No. CA0029122) are hereby rescinded, except for enforcement purposes. Likewise, coverage for these discharges under the provisions of

Order No. R2-2007-0077 (NPDES Permit No. CA0038849) 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 **DATE**.

Bruce H. Wolfe
Executive Officer