

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

1515 Clay Street, Suite 1400, Oakland, California 94612
waterboards.ca.gov/sanfranciscobay

**REVISED TENTATIVE ORDER R2-2023-00XX
RESCISSION OF NPDES PERMIT FOR
THE PITTSBURG OWNER LPV, LLC
PITTSBURG GENERATING STATION
696 WEST 10TH STREET, PITTSBURG, CONTRA COSTA COUNTY**

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

1. The former Pittsburg Generating Station (the Facility) is a decommissioned steam-electric generating station covering roughly 1,100 acres located on the southern shore of Suisun Bay, in the City of Pittsburg in Contra Costa County. The Facility's former process area (approximately 43 acres) includes the former power generating units (Units 1 through 7), above-ground fuel oil storage tanks, catch basins, basement and building sumps, and yard drains. The previous owner retired Units 1 through 4 in 2004 and Units 5 through 7 in 2017. The fuel oil storage tanks are inactive. The Facility was decommissioned in 2017.
2. The Facility previously generated process wastewater from power generation, thermal wastewater from once-through cooling of Units 5 and 6, and stormwater from the former process area, and discharged those wastewaters to Suisun Bay at Discharge Point 001. The Facility also discharged stormwater from non-process areas at 16 stormwater discharge points.
3. The Pittsburg Owner LPV, LLC, (the Discharger) owns and operates the Facility. The Discharger plans to demolish the Facility and redevelop the area for commercial and residential purposes. The Facility discharges only stormwater and no longer generates process wastewater or thermal wastewater.
4. NPDES Permit CA0004880, Order R2-2018-0017, permits the Facility to discharge up to 1.4 million gallons per day (MGD) of treated stormwater from the former process area to Suisun Bay at Discharge Point 001. Order R2-2018-0017 also permits the Facility to discharge stormwater from outside the former process area to Suisun Bay or Willow Creek (and ultimately Suisun Bay) at 16 non-process-area stormwater discharge points. Over the term of Order R2-2018-0017, the Facility discharged on 106 calendar days at a daily maximum flow of 0.53 MGD at Discharge Point 001.
5. To treat stormwater runoff from former process areas, the Discharger operates a treatment system as a best management practice (BMP) that consists of a collection pond, an American Petroleum Institute oil-water separator (API separator), lamella plate separators, a dissolved air flotation (DAF) tank, and an

effluent polishing system. The effluent polishing system includes bag filtration and two 5,000-pound filter vessels containing organoclay filter media arranged in series to remove residual pollutants.

6. The Discharger monitored Discharge Point 001 (at Monitoring Location EFF-001G) for total suspended solids (TSS), pH, oil and grease, metals, and cyanide, as required by Order R2-2018-0017. All results, except those for zinc, were below Numeric Action Levels (NALs) that would apply under the State Water Board's *General Permit for Storm Water Discharges Associated with Industrial Activities*, NPDES Permit CAS000001 (Industrial General Permit), issued by State Water Board Order 2014-0057-DWQ. Zinc exceeded the annual NAL of 110 µg/L in samples collected in December 2020 (220 µg/L) and January 2021 (400 µg/L). The Discharger refreshed its upstream metals filtering media BMPs in 2021; subsequent zinc detections at Monitoring Location EFF-001G were 74 µg/L or less (i.e., below the NAL).
7. The Discharger also monitored discharges from the 16 non-process-area stormwater discharge points for flow, pH, TSS, and oil and grease, as required by Order R2-2018-0017. All results were below NALs that would apply under the Industrial General Permit.
8. Discharges from the Facility are also regulated by *Waste Discharge Requirements for Mercury and PCBs from Municipal and Industrial Wastewater Discharges to San Francisco Bay*, NPDES Permit CA0038849, Order R2-2022-0038 (Mercury/PCBs Watershed Permit). That Order establishes requirements on discharges of mercury and polychlorinated biphenyls (PCBs). Order R2-2018-0017 does not affect that permit. However, that permit's provisions terminate the Discharger's coverage under it upon rescission of NPDES Permit CA0004880, Order R2-2018-0017.
9. The Discharger monitored treatment system influent and effluent (at Monitoring Locations INF-001G and EFF-001G) for mercury as required by Order R2-2018-0017. Mercury was detected in the influent at a maximum of 0.017 µg/L and in the effluent at a maximum of 0.012 µg/L. These concentrations are less than the Discharger's average monthly and maximum daily effluent limits (0.079 µg/L and 0.12 µg/L) and trigger levels (0.062 µg/L and 0.037 µg/L) for mercury under the Mercury/PCBs Watershed Permit.
10. The Discharger monitored treatment system effluent at Monitoring Location EFF-001G for PCBs as required by Order R2-2018-0017. PCBs were not detected. The Discharger has drained all transformers remaining at the Facility and plans to drain any residual transformer oil by August 2023.
11. The Discharger is currently cleaning, closing, and demolishing the Facility's above-ground fuel oil tanks (all of which are inactive) and is enrolled under the State's *General Permit for Storm Water Discharges Associated with Construction and*

Land Disturbance Activities, Order 2009-0009-DWQ (Construction General Permit) for related stormwater discharges.

12. Because the Facility no longer discharges process or thermal wastewater to Discharge Point 001; maintains BMPs, including its treatment system; and its stormwater discharges from Discharge Point 001 and its 16 non-process-area stormwater discharge points can be regulated through the Industrial General Permit, NPDES Permit CA0004880 is no longer necessary and Order R2-2018-0017 can be rescinded. However, the Discharger must first establish coverage under the Industrial General Permit to continue discharging industrial stormwater to waters of the United States.
13. Under Water Code section 13389, this action to rescind an NPDES permit is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resources Code division 13, chapter 3 (commencing with § 21100).
14. The Regional Water Board notified the Discharger and other interested agencies and persons of its intent to rescind the NPDES permit and provided an opportunity to submit written comments and recommendations. The public had access to the agenda and any changes in dates and locations through the Regional Water Board's website (waterboards.ca.gov/sanfranciscobay).
15. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the rescission of the NPDES Permit.

THEREFORE, IT IS HEREBY ORDERED pursuant to the Clean Water Act and Water Code division 7 that, as of the date the Discharger obtains coverage for its stormwater discharges under the Industrial General Permit, NPDES Permit CA0004880, Order R2-2018-0017, is rescinded, except for enforcement purposes.

This Order was adopted on:

<Adoption Date>

I hereby certify that this Order is a full, true, and correct copy of the Order adopted by the Regional Water Board on the date indicated above.

Eileen M. White, Executive Officer