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## State Water Resources Control Board

# NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT, PUBLIC BOARD WORKSHOP, PUBLIC HEARING, AND CONSIDERATION OF ADOPTION

## PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL POLICY ON THE USE OF COASTAL AND ESTUARINE WATERS FOR POWER PLANT COOLING

### NOTICE IS HEREBY GIVEN

The State Water Resources Control Board (State Water Board) will receive public comments on the Draft Amendment to the Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling for Extension of Compliance Schedules of Alamitos, Huntington Beach, Ormond Beach, and Redondo Beach Generating Stations (OTC Policy Amendment) and Draft Staff Report. The State Water Board is proposing to amend the Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling (Once-Through Cooling or OTC Policy) to extend the compliance dates for Alamitos, Huntington Beach, and Ormond Beach generating stations for three years until December 31, 2023, and Redondo Beach Generating Station for one year through December 31, 2021, to address system-wide grid reliability concerns. The State Water Board is also proposing to amend the OTC Policy to revise the compliance dates for Diablo Canyon Nuclear Power Plant Units 1 and 2 by reducing Unit 1 by two months and extending Unit 2 by eight months to November 2, 2024, and August 26, 2025, respectively.

### Document Availability

The Draft OTC Policy Amendment and Draft Staff Report is available on the [OTC Policy documents web site](#) at:

[http://www.waterboards.ca.gov/water\\_issues/programs/ocean/cwa316/policy.shtml](http://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/policy.shtml).

You may request a paper copy of the Draft OTC Policy Amendment or Draft Staff Report by contacting Julie Johnson at (916) 341-5687 or via email at [Julie.Johnson@waterboards.ca.gov](mailto:Julie.Johnson@waterboards.ca.gov).

### Submission of Written Comments

The State Water Board will accept input and recommendations on the Draft OTC Policy Amendment and Draft Staff Report through written comments. Written comments must be received no later than **12:00 noon on May 11, 2020**, and addressed to:

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100, Sacramento CA 95812-2000 (mail)  
1001 I Street, 24th Floor, Sacramento, CA 95814 (hand delivery)

Please indicate in the subject line: "Comment Letter – OTC Policy Amendment."

Comment letters may be submitted electronically, in PDF text format if less than 15 megabytes in total size, to the Clerk to the Board via e-mail at [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov). If the file is greater than 15 megabytes in total size, the comment letter may be submitted by mail, hand delivery, or fax to (916) 341-5620. Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Ms. Townsend at (916) 341-5600.

If you would like a copy of the written comments submitted on this subject, please send a request to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov), identifying the subject listed above. Written comments will not be available until after the comment deadline.

#### **NOTICE IS ADDITIONALLY HEREBY GIVEN**

The State Water Board will hold a public board workshop to discuss the content of the Draft OTC Policy Amendment and Draft Staff Report. The purpose of the public board workshop is to provide an opportunity for an open discussion between the State Water Board, staff, and members of the public regarding the proposed amendment. State Water Board staff will give a brief presentation on the proposed amendment. To ensure a productive and efficient workshop in which all participants have an opportunity to participate, oral presentations may be time-limited. The workshop will be held as follows:

**Public Board Workshop**  
**Tuesday, April 21, 2020 at 9:30 a.m.**  
Joe Serna Jr. - CalEPA Headquarters Bldg.  
Coastal Hearing Room  
1001 I Street, Second Floor  
Sacramento, CA 95814

A quorum of the State Water Board members may be present at the public board workshop; however, no board action will be taken. Although no formal decisions will be made, the board may provide direction to staff. The State Water Board will consider adopting the proposed amendment to the OTC Policy at a subsequent meeting.

Additional information on the public board workshop, including meeting procedures and information on making presentations, can be found at the [State Water Board's web site](https://www.waterboards.ca.gov/board_info/calendar/) at: [https://www.waterboards.ca.gov/board\\_info/calendar/](https://www.waterboards.ca.gov/board_info/calendar/)

## **NOTICE IS ADDITIONALLY HEREBY GIVEN**

The State Water Board will hold a public hearing to receive oral public input and comments on the Draft OTC Policy Amendment and Draft Staff Report. Following the public hearing, the State Water Board will consider adoption of the OTC Policy Amendment and Staff Report. The public hearing and consideration of adoption meeting will be held as follows:

### **Public Hearing and Consideration of Adoption Meeting**

**Tuesday, July 21, 2020 at 9:30 a.m.**

Joe Serna Jr. - CalEPA Headquarters Bldg.

Coastal Hearing Room

1001 I Street, Second Floor

Sacramento, CA 95814

Additional information on the hearing and consideration of adoption meeting in Sacramento can be found at the [State Water Board's web site](http://www.waterboards.ca.gov/board_info/calendar/) at: [http://www.waterboards.ca.gov/board\\_info/calendar/](http://www.waterboards.ca.gov/board_info/calendar/).

## **BACKGROUND**

The State Water Board adopted the OTC Policy on May 4, 2010 (effective date October 1, 2010), as [Resolution No. 2010-0020](#) establishing 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 impacts. Based on the electricity planning and procurement processes of the California Energy Commission, California Independent Systems Operator, and California Public Utilities Commission, the adopted OTC Policy established compliance dates for the nineteen power plants using once-through cooling technology in a schedule with orderly retirements and replacement of capacity aimed at maintaining local and system-wide electrical grid reliability in the State of California. Of these nineteen plants, nine are still operating and are scheduled to comply by specific compliance dates within the next decade.

The joint-agency Statewide Advisory Committee on Cooling Water Intake Structures (SACCWIS) was created to advise the State Water Board on the implementation of the OTC Policy, ensuring the compliance schedule takes into account the reliability of California's electricity supply, including local area reliability, statewide grid reliability, and permitting constraints.

Several compounding recent events have resulted in concern for system-wide grid reliability arising in the summer of 2021. These events include shifts in peak demand to later in the day and later in the year when solar and wind resources are not as reliably available to meet peak demand; changes in the method for calculating the qualifying capacity of wind and solar resources resulting in lower qualifying capacity for these resources than previously determined; a significant increase in projected reliance on imported electricity over historical levels; and earlier-than-expected closures of some non-OTC power generating facilities. Starting in the summer of 2021, additional power is likely needed for peak usage on hot days through 2023.

On January 23, 2020, the SACCWIS approved the Recommended Compliance Date Extensions for Alamitos, Huntington Beach, Ormond Beach, and Redondo Beach Generating Stations report, which included alternatives and a preferred recommendation to the State Water Board to extend the compliance dates for Alamitos, Huntington Beach, and Ormond Beach generating stations for three years until December 31, 2023, and Redondo Beach Generating Station for one year through December 31, 2021. The SACCWIS recommendation is based on the megawatt need identified in the CPUC's Decision (D.)19-11-016. The Draft OTC Policy Amendment is based on the SACCWIS' January 23, 2020 report.

The Draft OTC Policy Amendment also amends the compliance dates for Diablo Canyon Nuclear Power Plant Units 1 and 2 by reducing Unit 1 by two months and extending Unit 2 by eight months to November 2, 2024, and August 26, 2025, respectively. These revisions match the expiration date of each unit's National Regulatory Commission license. Additionally, the Draft OTC Policy Amendment includes non-substantive edits for clarification and accessibility.

Information pertaining to the SACCWIS is posted on the [SACCWIS web site](http://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/saccwis/) at: [http://www.waterboards.ca.gov/water\\_issues/programs/ocean/cwa316/saccwis/](http://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/saccwis/).

The OTC Policy and supporting documents are available on the [OTC Policy documents web site](http://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/policy.shtml) at: [http://www.waterboards.ca.gov/water\\_issues/programs/ocean/cwa316/policy.shtml](http://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/policy.shtml).

### **ADDITIONAL INFORMATION – NOVEL CORONAVIRUS OR COVID-19**

Cases of novel coronavirus (COVID-19) have been detected in California and the nearby community. The State Water Board anticipates proceeding with the board workshop scheduled on April 21, 2020, and the board meeting on July 21, 2020, but asks that participants monitor their email and the State Water Board's website for updates, including possible cancellations or postponements. Please see the Potential Future Changes to the Noticed Items section below for more information.

Information on COVID-19 and the steps you can take to help prevent or minimize its spread can be found on the [California Department of Public Health's COVID-19 website](#).

If you have an undiagnosed fever or symptoms of respiratory illness, please consider seeking medical care and do not go out, except to seek medical care. Please also consider viewing the State Water Board's meeting via the webcast link provided in the agenda. The board may be able to make arrangements for your comments to be submitted telephonically.

If you are only interested in specific items on the agenda, please consider arriving at the meeting solely for those items. You can follow along through the webcast to anticipate when that agenda item will be discussed. The board's chairperson will provide periodic updates as to when specific items may be heard.

If you attend the meeting, please refrain from shaking hands and increase social distance by spreading out throughout the meeting room, leaving at least two seats between you and the persons next to you when possible.

### **POTENTIAL FUTURE CHANGES TO THE NOTICED ITEMS**

Any changes regarding the noticed items will be noticed through the e-mail distribution list. Any person desiring to receive future notices must sign up for the e-mail distribution list by accessing the [Email List Subscription Form web site](https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html) at: [https://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html) and select the "Water Quality" tab, then select "Ocean Issues – Once-Through Cooling."

### **PARKING AND ACCESSIBILITY**

For directions to the Joe Serna, Jr. (CalEPA) Building and public parking information, please refer to the map on the [State Water Board web site](http://www.calepa.ca.gov/headquarters-sacramento/location/) at: <http://www.calepa.ca.gov/headquarters-sacramento/location/>.

The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5261 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922. An audio broadcast of the meeting will be available via the internet and can be accessed at the [Public Meeting Live Webcasts web site](https://video.calepa.ca.gov/) at: <https://video.calepa.ca.gov/>.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10<sup>th</sup> Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

### **CONTACT INFORMATION**

Please direct questions about this notice, the proposed amendment, or the OTC Policy to Julie Johnson at (916) 341-5687 or via e-mail at [Julie.Johnson@waterboards.ca.gov](mailto:Julie.Johnson@waterboards.ca.gov) or Katherine Walsh at (916) 445-2317 or via e-mail at [Katherine.Walsh@waterboards.ca.gov](mailto:Katherine.Walsh@waterboards.ca.gov).

March 18, 2020  
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Date

  
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Jeanine Townsend  
Clerk to the Board