

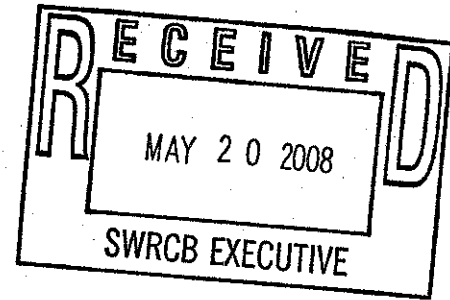
# Environmental Health Coalition

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401 Mile of Cars Way, Suite 310 ♦ National City, CA 91950 ♦ (619) 474-0220 ♦ FAX: (619) 474-1210  
ehc@environmentalhealth.org ♦ www.environmentalhealth.org

May 20, 2008

Ms. Tam Doduc, Chair and Board Members  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814  
Via Email: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)



**Re:** Environmental Health Coalition Comments on *Scoping Document: Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling.*

Dear Chair Doduc and Board Members:

Environmental Health Coalition (EHC) has a keen and long-standing interest in the issues related to destructive once-through cooling systems. We respectfully submit the following comments on the State Water Resources Control Board preliminary draft scoping document on the Statewide Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling (draft OTC policy).

EHC supports adoption of the strongest OTC policy possible. The damage these OTC cooling systems have done to sensitive estuarine, bay, and nearshore marine environments is nothing short of tragic. Now, we know continued degradation like this is unnecessary. The fact that these systems are no longer necessary and abysmally outdated has not only been recognized by other natural resources agencies, but groups like the CEC as well.

In June of 2005, the CEC released a comprehensive staff report identifying OTC as a contributing factor to the degradation of California's fisheries, estuaries, bays and coastal waters. The phase-out of OTC has multiple environmental benefits for the coast and for the State of California. By phasing out this destructive technology, the State would better protect its marine and estuarine ecosystems, while advancing to greener and more energy efficient energy production. Replacing these power plants with renewable energy, efficiency programs, and highly efficient DG will also improve air quality and reduce greenhouse gas emissions.

As members of the AB32 Environmental Justice Advisory Committee, EHC has also encouraged ARB to take on the issue of aging, and highly inefficient power plants, fast-track their phase out, and take aggressive action to promote energy development according to the CEC's own Energy Preferred Loading Order. The Loading order makes a clear statewide policy commitment and preference for energy efficiency and clean renewable energy sources, then highly efficient distributed generation, followed last by large centralized power plants and expanded transmission lines. There are multiple studies that now show cleaner ways to replace the energy from these plants using sensible land use and building practices and promotion of cost-effective energy efficiency, renewable energy, and distributed generation.

EHC encourages the State Board to shorten the timeline for compliance. Several other agencies have outlined a retirement policy for these plants far earlier than the SWRCB draft policy proposes. (2013 vs. 2015). The State Board is urged not to allow a long compliance deadline as it could easily be used to keep polluting power plants on-line and operating even longer. Several plants are scheduled to shut-down in the next few years. For example, the South Bay Power Plant's lease expires in late 2009 and the plant could be retired and decommissioned as early as 2010 or 2011.

There are also several errors in the chart on Page 19. NRG is not the owner of the South Bay Power Plant. LS Power was purchased by Dynegy last year and they are now the owners of the SBPP. Further, the repowering application for a new power plant on-site at South Bay was withdrawn two years ago. A recent letter from the California ISO to Mayor Cheryl Cox demonstrates that South Bay Power Plant can be retired if Otay Mesa Generating Station (already permitted and under construction) goes on-line and some additional peaking capacity is added in north county (which is under contract). It is important that the policy encourage this forward motion to remove the SBPP and not decelerate progress by allowing a longer timeline.

We also strongly urge the State Board to move forward with a statewide OTC policy as quickly as possible. There is no need to wait for federal appeals to be exhausted. The State can set more stringent standards than the minimum required by the federal law and we should.

Thank you for the opportunity to comment on this very important issue.

Sincerely,  
ORIGINAL SIGNED BY

Laura Hunter, Director  
Clean Bay Campaign