

1 [Urging Water Board to Adopt a Water Discharge Permit for Potrero Power Plant that Protects
2 the Bay.]

3 **Resolution urging the San Francisco Bay Regional Water Quality Control Board to**
4 **issue water discharge permit for Potrero Power Plant that enforces the law and**
5 **protects the Bay, and urging the Regional Water Board to reject the permit proposed by**
6 **its staff and adopt the Community Permit, and urging the Regional Water Board to**
7 **require Mirant to bring the plant into compliance immediately once it is not needed for**
8 **electric reliability.**

9
10 WHEREAS, On May 10, 2006, the San Francisco Bay Regional Water Quality Control
11 Board (Water Board) will consider renewal of the wastewater discharge permit for the Potrero
12 Power Plant Unit 3 owned by Mirant California (Mirant); and

13 WHEREAS, The permit proposed by the Regional Board would allow Mirant to
14 continue polluting the San Francisco Bay (Bay) until June 30, 2011, with very few changes;
15 and,

16 WHEREAS, The cooling system at the plant does not meet the current minimum
17 standards for protection of the Bay; and,

18 WHEREAS, Mirant currently operates under a permit that was issued in 1994 and was
19 extended by the Water Board without public review for another 5 years until 2004; and

20 WHEREAS, The proposed permit ignores the evidence in the record of substantial
21 harm to the San Francisco Bay (Bay) that results from the operation of Potrero Unit 3,
22 including the following:

- 23 a) Unit 3 uses 226 million gallons of bay water each day to cool the plant,
24 sucking in and killing hundreds of millions of larval fish and organisms
25

1 each year. The Bay ecosystem is impacted by this loss of aquatic life and
2 habitat; and

3 b) the water discharged from the plant into the Bay includes numerous
4 harmful pollutants, including copper, mercury, dioxins and PCBs; and

5 c) this heated, polluted water is discharged back into the Bay in shallow
6 water where there is inadequate dilution of the chemicals; and

7 d) this shallow water discharge also stirs up polluted sediments and
8 redistributes them into the Bay; and

9 WHEREAS, The permit proposed by staff does nothing to stop this harm to the Bay;

10 and

11 WHEREAS, The permit proposed by staff does not even require mitigation measures
12 that Mirant could implement immediately to reduce impacts to the bay; and

13 WHEREAS, The City and community have proposed a permit (Community Permit) that
14 would provide Mirant a reasonable schedule for bringing the plant into compliance with current
15 state and federal requirements; and

16 WHEREAS, The Community Permit would allow Mirant to bring the plant into
17 compliance by installing an alternative cooling system with no Bay impacts or by closing the
18 plant when it is no longer needed for electric reliability; and

19 WHEREAS, The City and community have worked for many years to reduce the harm
20 caused by old, dirty, inefficient power plants in San Francisco. The ISO has agreed that the
21 Potrero Plant will not be needed for electric reliability after completion of several additional
22 projects, including the City's proposed combustion turbine project; and,

1 WHEREAS, The permit proposed by Regional Board staff would allow Mirant to
2 continue polluting the Bay even when the plant is no longer needed for electric reliability; now,
3 therefore, be it

4 RESOLVED, That the San Francisco Bay Regional Water Quality Control Board should
5 reject the permit proposed by the staff because it ignores the evidence in the record and does
6 not protect the Bay; and, be it

7 FURTHER RESOLVED, That the San Francisco Bay Regional Water Quality Control
8 Board should adopt the Community Permit which provides Mirant a reasonable schedule for
9 replacing its current cooling system with a system that meets current requirements and stops
10 the use of bay water and the discharge of polluted water; and, be it

11 FURTHER RESOLVED, That if the San Francisco Bay Regional Water Quality Control
12 Board allows Mirant to continue operating its antiquated cooling system, it should require
13 Mirant to bring the plant into compliance with current standard immediately once the plant is
14 not needed for reliability.



City and County of San Francisco

City Hall
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Tails

Resolution

File Number: 060500

Date Passed:

Resolution urging the San Francisco Bay Regional Water Quality Control Board to issue water discharge permit for Potrero Power Plant that enforces the law and protects the Bay, and urging the Regional Water Board to reject the permit proposed by its staff and adopt the Community Permit, and urging the Regional Water Board to require Mirant to bring the plant into compliance immediately once it is not needed for electric reliability.

April 25, 2006 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

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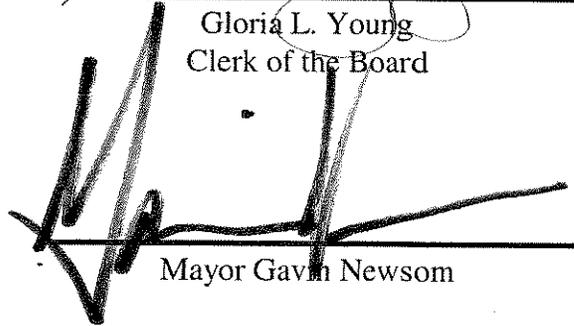
I hereby certify that the foregoing Resolution was ADOPTED on April 25, 2006 by the Board of Supervisors of the City and County of San Francisco.

4/28/06

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom