



California Regional Water Quality Control Board Santa Ana Region



Terry Tamminen
*Secretary for
Environmental
Protection*

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**Arnold
Schwarzenegger**
Governor

October 17, 2005

Steve Maghy
Environmental Manager
AES Southland LLC
690 N. Studebaker Road
Long Beach, CA 90803

APPROVAL OF PROPOSAL FOR INFORMATION COLLECTION (PIC) TO COMPLY WITH PHASE II-316(B) RULE (40 CFR PART 125 SUBPART J)

Dear Mr. Maghy:

We have reviewed the July 2005 PIC, prepared by EPRI Solutions and submitted by AES on August 1, 2005 to comply with Phase II of the Clean Water Act Section 316(b) Regulatory Requirements. The PIC is hereby approved, including the following proposed schedule to complete the PIC:

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|----|--------------------------------------|-----------------|
| 1. | Complete IM&E Characterization Study | March 1, 2006 |
| 2. | Make Final Compliance Decision | June 1, 2006 |
| 3. | Final CDS Submitted | January 1, 2007 |

AES will submit the Comprehensive Demonstration Study (CDS) to fulfill permit application information requirements specified by the Phase II-316(b) Rule (40 CFR Part 125 Subpart J) by January 1, 2007., The Comprehensive Demonstration Study will include the Impingement Mortality and/or Entrainment Characterization Study (IMECS), Design and Construction Technology Plan, Technology Installation and Operation Plan, Restoration Plan (if applicable), Site-Specific Requirements (if applicable), and Verification Monitoring Plan.

This approved iterative schedule allows for AES to begin implementation of the PIC by then end of October 2005, allows time for the Court decision on whether the use of restoration is a legal alternative available to AES, and then to finalize the CDS by the end of 2006.

Thank you for accelerating your original proposed schedule, which we approved in December 2004. Board staff believes that the proposed date for submittal of the CDS is reasonable and meets the "as expeditiously as practicable" standard established by the new regulations, reflecting relevant work that has already been completed. To assure that this standard continues to be met, our concurrence with your proposed date for submission of the CDS is conditioned on submittal of status reports on February 1, July 1, and October 1, 2006. Each status report shall describe the milestones and accomplishments that have been completed and those that need to be completed for the next reporting period.

If you have any questions, please contact Jun Martirez at (951) 782-3258 or Jane Qiu at (951) 320-2008.

Sincerely,

Joanne E. Schneider
Environmental Program Manager