

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF MARCH 24-25, 2005**

Prepared February 16, 2005

**ITEM:** 17

**SUBJECT:** MANDATORY PENALTY COMPLAINT NO. R3-2005-0030; DUKE ENERGY, MORRO BAY POWER PLANT

**KEY INFORMATION**

**Location:** Moro Bay, San Luis Obispo County  
**Discharge Type:** Once-through cooling water  
**Current Flow Rate:** Minimal, Power Plant is operating at very low output  
**Design Capacity:** 668 MGD  
**Disposal:** Discharge to Estero Bay  
**Recycling:** Not applicable  
**Existing Order:** WDR Order No. 95-28, NPDES Permit No. CA0003743

**SUMMARY**

The Executive Officer issued Mandatory Penalty Complaint No. R3-2005-30 (Attachment 1) to Duke Energy Morro Bay, LLC, on January 11, 2005. The Complaint proposed assessment of a mandatory penalty of \$12,000 for various effluent violations that occurred between January 31 and March 31, 2002, and between March 2, and June 6, 2003. Duke Energy waived its right to a hearing and paid the entire penalty amount on February 1, 2005. Attachment 2 includes Duke Energy's signed waiver form and proof of payment.

Duke Energy has significantly decreased power output at the Morro Bay Power Plant over the past several years. The effluent limit violations (suspended solids, oil and grease) occurred during this transition period, and Duke Energy successfully implemented changes in their internal operations to prevent the violations from being repeated. There were no violations during 2004.

**RECOMMENDATION**

This matter is settled and no hearing will be held.

**ATTACHMENTS**

1. Mandatory Penalty Complaint No. R3-2005-30
2. Duke Energy's cover letter, signed waiver form, and proof of payment

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