

**Regional Water Quality Control Board
Central Valley Region**

Board Meeting – 2/3 August 2012

**Response to Written Comments on
Tentative Waste Discharge Requirements for**

**City of Alturas,
Alturas Wastewater Treatment Plant**

2 July 2012

At a public hearing scheduled for 2/3 August 2012, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of tentative Waste Discharge Requirements (NPDES No. CA0078921) for the City of Alturas Wastewater Treatment Plant. This document contains responses to written comments received from interested parties in response to the Tentative Order. Written comments from interested parties were required to be received by the Central Valley Water Board by 18 June 2012 in order to receive full consideration. Comments were received prior to the deadline from:

1. U.S. EPA (received 18 June 2012)
2. Central Valley Clean Water Association (received 18 June 2012)

Written comments from the above interested parties are summarized below, followed by the response of Central Valley Water Board staff. In addition, Central Valley Water Board staff has corrected several errors in the permit, included as errata at the end of this document.

U.S. EPA COMMENTS

U.S. EPA – COMMENT #1:

Effluent limits should be included for various constituents with limited data.

RESPONSE:

USEPA believes that the permit should impose WQBELs for aldrin, bis(2-ethylhexyl) phthalate, carbon tetrachloride, and mercury. USEPA believes that additional data is unlikely to change the reasonable determination unless the Central Valley Water Board can provide justification for excluding these data points in a future reasonable potential analysis with additional data.

Central Valley Water Board staff believes that they have provided adequate justification for not establishing WQBELs for these constituents. In addition, the permit requires the Discharger to evaluate the source of the constituents, conduct quarterly monitoring of the constituents and complete a study of the constituents. The permit contains a

reopener provision which allows for modification based on the results of constituent monitoring and/or special study. Central Valley Water Board staff believes the proposed permit is appropriate and does not recommend including WQBELs for the constituents in question.

U.S. EPA – COMMENT #2:

The proposed permit includes an effluent limit for TDS, but not for EC, while both may have reasonable potential to exceed water quality standards. It is unclear whether the agricultural water quality goals for EC and TDS are applicable to this water body. Some salinity constituents can act as indicators for others; however using TDS as an indicator for EC is inconsistent with how the Regional Board usually addresses salinity. In most cases, the Regional Board has applied an effluent limit for EC to act as an indicator for all other salinity constituents. Please clarify.

RESPONSE:

Salinity objectives for agricultural uses are discussed in the Fact Sheet of the permit. There are no promulgated agricultural salinity objectives that apply to this discharge. According to the October 2004 Pit River Watershed Alliance's *Upper Pit River Watershed Assessment*, agricultural land use of the Modoc county portion of the Pit River basin consists of the growing of alfalfa, grain hay, and meadow hay, and use as irrigated pasture and dryland pasture. Staff is not aware of any production of salt-sensitive crops in the local area and concluded there is no justification to apply salt-sensitive crop objectives to the discharge. The permit has been updated to include information on agricultural uses of the area.

USEPA is correct in that the Central Valley Water Board usually uses EC as the indicator for dissolved constituents including TDS. The proposed permit also uses EC as an indicator parameter. Additionally, in this case, the effluent showed reasonable potential for TDS to exceed the secondary MCL. Therefore, the proposed permit contains an effluent limit for TDS, in addition to monitoring for EC and TDS.

The tentative draft permit was found to contain errors in the Summary of Reasonable Potential Analysis (Attachment G). The summary had a duplicate entry for TDS containing an agricultural water quality goal that is not applicable. The duplicate TDS entry has been replaced with an entry for EC to clarify the reasonable potential analysis.

U.S. EPA – COMMENT #3:

Interim TDS effluent limits are provided; however TDS is not included in the compliance schedule milestones and deadlines on page 28 of the draft permit.

Response:

Central Valley Water Board staff concurs and has revised the permit to include TDS in the compliance schedule milestones and deadlines section (VI.C.7, page 28).

U.S. EPA – COMMENT #4:

The draft permit is backsliding from an effluent limit imposed in the previous permit for turbidity. Instead of an effluent limit, operational requirements are being proposed in the permit. In addition, a 5-year compliance schedule has been authorized for these requirements. The fact sheet explains that the operational requirements are sometimes more stringent than the previous effluent limit and therefore meet antibacksliding requirements; however it is not clear how the water quality standards for turbidity are being implemented. If the facility has reasonable potential to exceed the turbidity water quality standard, then the permit must include effluent limitations. Also, the proposed permit does not require monitoring for turbidity in the receiving water, so compliance with the receiving water limit will not be demonstrated. Most importantly, if the proposed permit is authorizing a compliance schedule for turbidity, interim limits must be included in the permit.

Response:

Turbidity effluent limitations have not been continued from the current permit because there is no reasonable potential for effluent turbidity to exceed the Basin Plan's water quality objective for turbidity. The determination of no reasonable potential is based on effluent and receiving water data collected during the term of the current permit that shows that the discharge did not cause any exceedances of turbidity water quality objectives in the receiving water. The effluent and receiving water data is new information and the removal of the turbidity effluent limit qualifies for the antibacksliding exception at 40 CFR 122.44(l)(2)(i)(B)(1). Furthermore, the proposed permit establishes new turbidity operational specifications which are equally, if not more protective, than the current effluent limits on turbidity. As USEPA noted, the turbidity operational specifications include a 5-year compliance schedule. Compliance schedules for operational specifications do not require interim limits, however in this case staff agrees to add an interim turbidity operational specification for the duration of the compliance schedule to ensure that effluent turbidity meets the turbidity standards set forth in the current permit and to clarify what the applicable specification is during the term of the compliance schedule. Also, receiving water monitoring for turbidity has been added to the proposed permit, in response to USEPA's comment regarding compliance determination for the turbidity receiving water limitation.

U.S. EPA – COMMENT #5:

An interim annual average effluent limit for aluminum was established in the Fact Sheet but not included in the draft permit.

Response:

Central Valley Water Board staff concurs. Interim Limit Table 7 (page 13) has been updated to include an annual average interim limit for aluminum.

U.S. EPA – COMMENT #6:

The interim milestones for the compliance schedule for BOD₅, TSS, aluminum, ammonia, TDS, and turbidity should be based on actions, such as obtaining permits for construction of upgraded treatment facilities, rather than report-based.

Response:

Report-based milestones are included in the permit in-lieu of action-based milestones to give the Discharger flexibility should the method of compliance change. The reports will be used to monitor progress and will be just as effective as defined-milestone requirements. Central Valley Water Board staff does not recommend changing the compliance milestones in the permit.

U.S. EPA – COMMENT #7:

The proposed permit should include deadlines for submittal of pollution prevention plans for aluminum and ammonia.

Response:

Submittal of a Pollution Prevention Plan for aluminum and ammonia is required in Section VI.C.7 (page 28). The submittal of a Pollution Prevention Plan for aluminum and ammonia is required within one year after adoption of the Order. Central Valley Water Board staff does not recommend modifying the proposed permit with respect to this comment.

CENTRAL VALLEY CLEAN WATER ASSOCIATION COMMENTS

CVCWA – COMMENT #1:

CVCWA asserts that the draft Order's approach to calculating the 30-day criteria continuous concentration (CCC) and ammonia limitations is inconsistent with the Central Valley Water Board's permitting practice, and otherwise improper. CVCWA states that the 30-day CCC should have been calculated using the downstream or effluent pH and temperature data since the Tentative Order does not grant dilution. Further, effluent limitations should not be based on the minimum of the 30-day CCCs calculated from pH and temperature pairs but that the 1/10th percentile should be used.

RESPONSE:

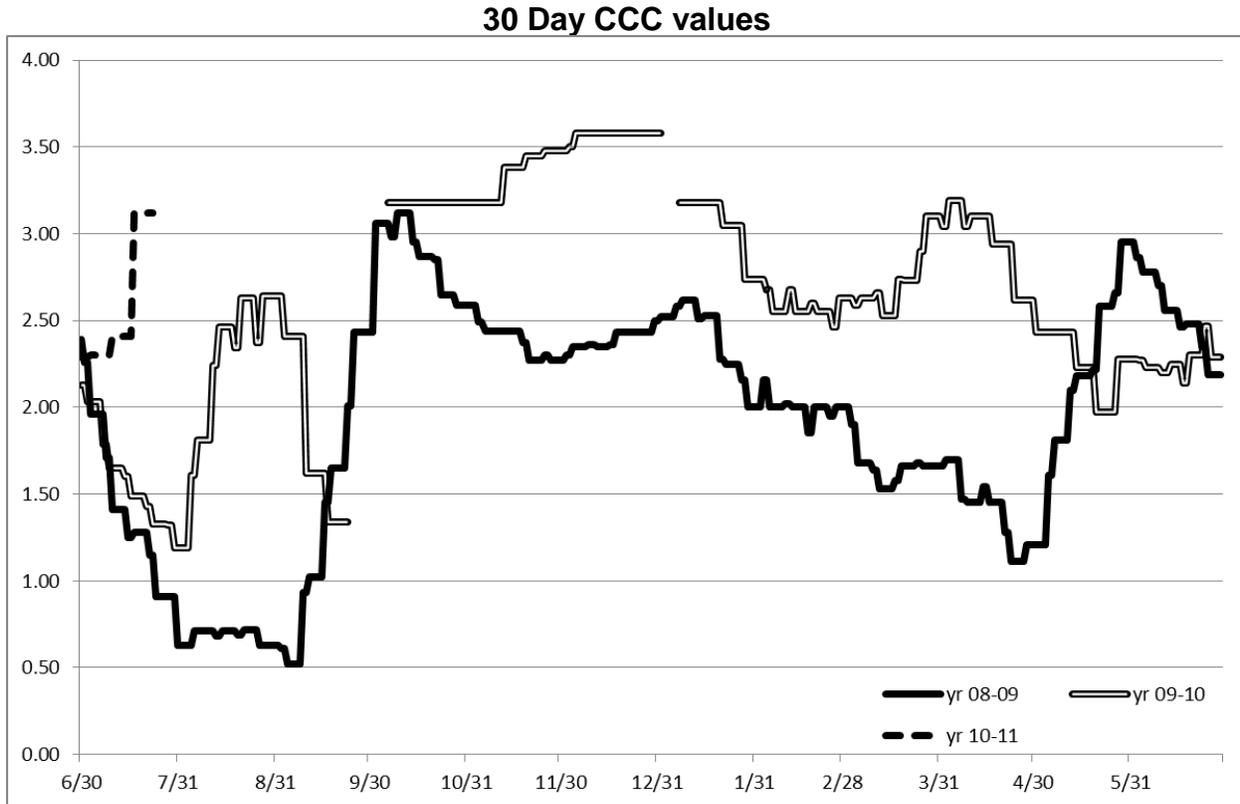
Although the 2007 Atwater permit did not set any sort of precedence, Central Valley Water Board staff reviewed the approach to ammonia limit calculations used in the proposed permit, the Atwater permit, and other more recent Central Valley Water Board permits. Central Valley Water Board staff has made revisions to the proposed permit to be more consistent, when appropriate, with the approach taken in these other permits. Specifically, revisions have been made to use paired downstream receiving water temperature and pH data to calculate the CCCs and 30-day running average CCCs. In addition, the lowest 1/10th percentile is used in the 30-day CCC selection. These corrections result in the ammonia AMEL changing from 0.40 mg/L to 0.50 mg/L and the ammonia MDEL changing from 0.50 mg/L to 0.80 mg/L. Relevant portions of the permit have been updated accordingly.

CVCWA – COMMENT #2:

The draft order does not take into account seasonal fluctuations. Because the effluent limitations for ammonia in the draft order were calculated from 30-day CCC, they are dependent on pH and temperature. These parameters fluctuate seasonally and thus seasonal effluent limitations for ammonia are appropriate for the discharge. Seasonal effluent limitations have been adopted for other Central Valley dischargers.

RESPONSE:

As CVCWA notes, ammonia toxicity is a function of pH and temperature. The Discharger has no control over seasonal variations in effluent temperature. However, due to chemical additions at the facility, the Discharger actively controls the pH of the effluent. Staff plotted the 30-day CCC criteria for the data evaluation period (June 2008 through May 2011) and could find no clear seasonal pattern (see below). However, to give the Discharger the opportunity to present data in support of seasonal limits on ammonia, the proposed permit has been revised to include a reopener provision, should additional data show that seasonal limits are appropriate.



CENTRAL VALLEY WATER BOARD STAFF ERRATA

STAFF ERRATA #1:

The biosolids section of the Monitoring and Reporting Program specified analyses typically required for facilities with flows of 5 – 10 mgd.

The proposed permit has been updated to specify biosolids monitoring requirements typical of a facility having a flow of less than 1.0 mgd. (Monitoring and Reporting Program section IX.A)

STAFF ERRATA #2:

The Reopener Provisions discussion (page F-64) was incorrectly numbered.

The items in this paragraph have been reordered to start with 'a' instead of 'e'.

STAFF ERRATA #3:

Tables E-3 and E-5 have been updated to include field methods.

Tables E-3 and E-5 have been updated to include options to use USEPA-approved field methods for turbidity, pH, and temperature.