

Cutler – Orosi Joint Powers Wastewater Authority

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March 2, 2015

California Regional Water Quality Control Board
Central Valley Region
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centralvalleyfresno@waterboards.ca.gov

RE: COMMENTS ON ORDER R5-2015-XXXX AMENDING WASTE DISCHARGE
REQUIREMENTS ORDER R5-2013-0047 (NPDES No. CA 0081485)

Dear Board Members:

Tentative Order R5-2015-XXXX (Tentative Order) developed by staff of the Regional Water Quality Control Board (Regional Board) addresses three (3) items:

1. Recycled Water Specifications;
2. Final effluent limitations for copper; and
3. Specifics related to use of ultraviolet light for disinfection of discharges to the treated wastewater containment ponds.

This letter contains comments of the Cutler-Orosi Joint Powers Wastewater Authority (Authority) regarding the Recycled Water Specifications and use of the ultraviolet light disinfection system prior to discharge to the treated wastewater containment ponds. The Authority has no additional comments with regard to the proposed changes for the limitations on copper in the final effluent.

The Tentative Order makes changes to the Recycled Water Specifications in accordance with the Authority's request to Mr. Chad Fischer, Division of Drinking Water, SWRCB, dated September 16, 2013, with the exception of the following:

1. A 50-foot buffer zone requirement between a water course and the wetted area produced during irrigation with recycled water was not removed. Currently a double berm is constructed between the treated effluent application area and the Tout Ditch Facility of the Alta Irrigation District. This berm procedure has been used successfully since 1965 to prevent a discharge to said Tout Ditch.

There has never been a failure of this procedure to prevent an illegal discharge. Given the cost of land in the area and the success of the current berm procedure at a ten (10) foot separation distance, change to the provision of separation to the current ten (10) foot distance is requested; and

2. Recycled Water Specification No. 16 has been changed to add the word “measurable” in front of the word “precipitation”. The Authority had requested for the Specification to have the word “heavy” inserted. The Regional Board rejected the use of that word because it was “subjective”. If the “measurable” term is to govern, a measuring threshold is requested. A typical irrigation application applies in excess of six (6) inches of water to the soil profile. The Authority requests that irrigation be required to cease if the measurable precipitation exceeds one (1) inch in the prior 24 hour period or one and one-half inches in a 72 hour period.

In support of these requested changes, the Authority offers the following. With regard to the water course setback, the 50-foot buffer area appears to be subjective and puts the Authority at an economic disadvantage. The California Code of Regulations, Title 22, Division 4, Chapter 3, Article 4, “Use Area Requirements” does not contain the “50-foot buffer zone between a water source and the wetted area produced during irrigation” requirement. The only water course subject to this provision relative to the Authority is the Tout Ditch, which is adjacent to Field A. Typically Field A is used when groundwater is high and effluent is being disinfected utilizing the ultraviolet disinfection system. When Field A is in use, a double containment border is constructed. The double berm is the mechanism to protect the water course whether it is 50 feet away from the water course or adjacent to the water course. The Authority’s property line is approximately 10 feet from the Tout Ditch cut.

Tentative Order, Finding 6, states, “On 18 August 2014, a follow up conversation by Central Valley Water Board staff with Division of Drinking Water staff also confirmed that the Division of Drinking Water approves the relaxation of the 50-foot watercourse setback distance.”

Finding 8 states, “As described in Finding 5, the Discharger specifically requested in its 16 September 2013 letter that the 50-foot watercourse setback distance requirement in Order R5-2013-0047 be removed. However, a canal runs north-south directly adjacent to Field A which is one of the fields permitted to receive recycled water discharges. The Discharger irrigates the field by flood irrigation. Based on Central Valley Board staff’s observations, it appears that there is minimal protection from recycled water entering the canal. Therefore, this Order retains the 50-foot watercourse setback distance as a preventative measure to ensure undisinfected recycled water does not enter the canal. However, this Order does revise the requirement to allow the Executive Officer to approve an alternative measure to the 50-foot watercourse setback distance requirement as long as it provides equal or greater protection.”

The Authority requests that Section IV. C be revised as follows:

“~~1718~~. Areas irrigated with recycled water located near the Alta Irrigation District (AID) Tout Ditch shall be separated by a constructed and maintained double berm located at least ten (10) feet from the discharger’s property line.”

As to the requirement to employ ultraviolet light disinfection for discharge to the wastewater ponds without taking into account depth to groundwater, the Authority would note that they have awarded a construction contract to Moore Twining Associates, Inc. for the construction of thirteen (13) groundwater monitor wells. Moore Twining Associates, Inc. has been issued a Notice to Proceed and shall start work on or before March 5, 2015. Six (6) of those wells are located around the perimeter of the existing treated effluent containment ponds. Currently, the depth to groundwater is in excess of 45 feet. Operation of the ultraviolet light disinfection system requires a significant monetary outlay. Power consumption, light and ballast replacement and testing are significant cost centers. The placement of the monitor wells will allow for a determination of the depth to groundwater under the ponds. The Authority suggests that disinfection of effluent discharged to the ponds be initiated when the separation between the pond bottom elevation and the depth to groundwater is five (5) feet or less, the same requirement that applies to land application. The requirement to disinfect no matter the depth to groundwater defeats the purpose of constructing several of the monitor wells and imposes an unreasonable economic burden. The dischargers are all classified as severely disadvantaged communities, all with a median household income of less than \$20,000 per year. The Board works hard to meet all applicable standards and requirements while being mindful of the economic impact on each household discharging to the Regional Facility.

The Board appreciates your consideration of these comments and if you have any questions regarding same, please contact the undersigned at 559/732-7938.

Very truly yours,



Dennis R. Keller
Secretary

DRK:je

cc: Mr. Alexander Mushegan, RWQCB
Mr. Ralph Gutierrez, Chief Plant Operator
Mr. Jim Koontz, Attorney at Law