

May 15, 2007

Ms. Pamela C. Creedon
Executive Officer
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, #200
Rancho Cordova CA 95670

Project No.: 715\04-05-01

SUBJECT: Tentative Waste Discharge Requirements—City of Atwater Wastewater Treatment Facility, NPDES No. CA 0079197

Dear Ms. Creedon:

The purpose of this letter is to provide comments from the City of Atwater (City) regarding the National Pollutant Discharge Elimination System (NPDES) permit documents circulated on April 13, 2007 by the Central Valley Regional Water Quality Control Board (RWQCB) for the City's Wastewater Treatment Facility (WWTF).

The City's comments are presented in the following categories:

- I. General Comments Applicable to Multiple Provisions of the Tentative Waste Discharge Requirements
- II. Comments Applicable to Specific Tentative Waste Discharge Requirements Provisions and Finding

The City respectfully requests that revisions recommended below be incorporated into the TWDRs prior to adoption. The City would be please to meet with the RWQCB staff to discuss these comments prior to distribution of the revised WDRs.

I.

GENERAL COMMENTS APPLICABLE TO MULTIPLE PROVISIONS OF THE
TENTATIVE WASTE DISCHARGE REQUIREMENTS

A. AMMONIA LIMITATIONS

The City appreciates the RWQCB staff diligent efforts in developing an approach for deriving effluent limitations for ammonia that are both protective of the receiving water and consider actual site-specific conditions. However, we have identified one minor error in the calculations presented. The required monitoring frequency in the Monitoring and Reporting Program (MRP) for ammonia in the effluent is once a week. The monthly average effluent limitation provided in

the permit is based on an assumed 30-day averaging period. Therefore, the City requests that the monthly average limitation be recalculated to reflect the weekly monitoring frequency.

II.

COMMENTS APPLICABLE TO SPECIFIC TENTATIVE WASTE DISCHARGE REQUIREMENTS PROVISIONS AND FINDINGS

The due dates presented in the permit were not updated to reflect the revised permit adoption date. The City requests that these due dates be corrected, as specified below. Note that the fact sheet may also need to be updated accordingly.

D. FINDINGS

46. Section 2.1 of the SIP provides that *“Based on an existing discharger’s request and demonstration that it is infeasible for the discharger to achieve immediate compliance with a CTR criterion, or with an effluent limitation based on a CTR criterion, the RWQCB may establish a compliance schedule in an NPDES permit.”* Section 2.1 further states that a compliance schedule may be included in NPDES permits provided that the following justification has been submitted: *“(a) documentation that diligent efforts have been made to quantify pollutant levels in the discharge and identify the sources of the pollutant in the waste stream; (b) documentation of source control measures and/or pollution minimization measures efforts currently underway or completed; (c) a proposal for additional or future source control measures, pollutant minimization actions, or waste treatment (i.e., facility upgrades); and (d) a demonstration that the proposed schedule is short as practicable.”* **Provisions G.9 and G.10** of this Order require that the City either provide this information by ~~7-June December 2007~~ or WQBELs for CTR pollutants described in Finding 43 will take effect on that date. Otherwise, the WQBELs will take effect in the shortest time possible as approved by the Executive Officer, but in no case later than **18 May 2010**.

E. EFFLUENT LIMITATIONS

Item 4. Footnote 2:

Compliance shall be determined by comparing the effluent limit to the daily discharge. Daily discharge shall be defined as the arithmetic mean of all the readings recorded during the calendar day (i.e., 12:00 a.m. through 11:59 p.m.). All non-detects (ND) shall be converted to zero for averaging purposes. Prior to ~~7-June 22 December 2007~~, all readings below 0.05 mg/L shall be recorded as ND. Beginning ~~7-June 22 December 2007~~, all readings below 0.01 mg/L shall be recorded as ND.

F. PROVISIONS

6. ~~By 7-June~~ **22 December 2007**, the City shall submit a Public Safety Notification Plan that identifies actions the City will take to notify the public that the water in the Atwater Drain is wastewater treatment plant effluent ...

7. Prior to ~~7-September 2007~~ **22 March 2008**, signs ...shall be placed and maintained at all areas of public access to the Atwater Drain downstream from the discharge point...

8.a. **Toxicity Reduction Evaluation (TRE) Work Plan.** ~~By 7-June~~ **22 December 2007**, the City shall submit to the Regional Water Board a TRE Work Plan for approval by the Executive Officer.

9. **Compliance Schedule (Bromodichloromethane, Chlorodibromomethane):** ~~By 7-June~~ **22 December 2007**, the City shall submit written certification of its decision to either: (1) comply with Effluent Limitations B.5.a for bromodichloromethane and chlorodibromoethane or (2) to provide the information/support necessary for the Regional Water Board to conduct a UAA for MUN for the Atwater Drain. ...If the City chooses option (2), both interim and final effluent limits for bromodichloromethane and chlorodibromoethane shall be stayed pending completion of the tasks in the following compliance schedule and further action by the Regional Water Board:

<u>Task</u>	<u>Compliance Date</u>
a. Submit a technical report in the form of a work plan and proposed time schedule to provide the information/support necessary to conduct a UAA for MUN for the Atwater Drain waters...	7-September 2007 <u>22 March 2008</u>
c. Provide the results of Task a.	By the deadline approved by the EO but no later than 7-December 2009 <u>22 June 2010.</u>

10. **CTR Pollutants Compliance Schedule (Copper, Lead, Zinc, Dioxins).** ...The City shall evaluate its options and shall comply in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
a. Either comply with Effluent Limitations B.5.a or submit a technical report containing a compliance schedule justification ...	7-June <u>22 December 2007</u>
c. Comply fully with Effluent Limitations B.5.a.	By the deadline approved by the EO but no later than 18 May 2010.

11. **Tertiary Treatment, Ammonia, Nitrate, and Nitrite Compliance Schedule.** ...The City shall evaluate its options and shall comply in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
a. Submit a technical report in the form of a work plan and implementation schedule for complying with Effluent Limitation B.6.a. or for fully implementing an alternative treatment and disposal method.	7-June <u>22 December 2007</u>
c. Full Compliance.	By the deadline approved by the EO but no later than 7-December-2011 <u>22 June 2012</u>

12. The City shall conduct a temperature study in accordance with the following schedule:

<u>Task</u>	<u>Compliance Date</u>
a. Submit a temperature study work plan and proposed time schedule for Regional Water Board and Department of Fish and Game review and comment...	7-June <u>22 December 2007</u>
c. Submit proposed numeric temperature receiving water limitation(s) for Regional Water Board EO approval and Department of Fish and Game review and comment.	By the deadline approved by the EO but no later than 8-December-2008 <u>22 June 2009.</u>

13. **By ~~7-June~~ 22 December 2007**, the City shall submit a sludge management plan that satisfies the information requirements of Attachment D *Information Needs for Sludge Management Plan*.

14. **Groundwater Monitoring Tasks.** The City shall submit a technical report describing a proposed groundwater monitoring well network. ...The City shall comply with the following compliance schedule in implementing the work required by this Provision:

<u>Task</u>	<u>Compliance Date</u>
a. Submit technical report: implementation schedule and monitoring well installation work plan.	7-March-2007 <u>22 September 2007</u>

17. The City shall conduct a receiving water hardness study in accordance with the following schedule:

<u>Task</u>	<u>Compliance Date</u>
a. Submit a receiving water hardness study work plan and proposed implementation schedule for Regional Water Board review and comment...	7-June 2007 <u>22 December 2009</u>
c. Submit proposed receiving water hardness concentration to be used for establishing hardness-dependent metals water quality criteria for Regional Water Board EO approval.	By the deadline approved by the EO but no later than 5-June 2009 <u>22 December 2009</u>.

29. The conditions of this Order that pertain to surface water discharge, and serve as an NPDES permit, expire on ~~7-December-2011~~ 22 June 2012, at which time surface water discharge is prohibited. The City must file a complete Report of Waste Discharge in accordance with Title 23, CCR, section 13376, not later than ~~10-June-2011~~ 25 December 2011, if it wishes to continue the discharge.

Thank you for considering these comments,

Mr. David Church
Public Works Director

cc: Mr. Bert E. Van Voris, Supervising WRC Engineer, CVRWQCB, Fresno Branch Office
Mr. W. Dale Harvey, Senior WRC Engineer, CVRWQCB, Fresno Branch Office
Mr. Matt Scroggins, WRC Engineer, CVRWQCB, Fresno Branch Office
Mr. Mo Khatami, Deputy City Manager, City of Atwater
Mr. David Church, Director of Public Works, City of Atwater
Mr. Monte Hamamoto, Veolia Water North America-West. LLC
Mr. Bruce West, West Yost Associates
Ms. Kathryn Gies, West Yost Associates
Ms. Melanie Carr, West Yost Associates
Ms. Roberta L. Larson, Somach, Simmons & Dunn
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Ms. Andrea L. Shephard, Ph.D, EDAW, Inc.