

**Regional Water Quality Control Board  
Central Valley Region  
Board Meeting – 21/22 June 2007**

**Response to Written Comments for City of Atwater, Wastewater Treatment Facility,  
Merced County  
Tentative Waste Discharge Requirements/NPDES Permit**

---

At a public hearing scheduled for 21/22 June 2007, the Regional Water Quality Control Board, Central Valley Region (Regional Water Board) will consider adoption of Waste Discharge Requirements (NPDES No. CA0079197) for the City of Atwater Wastewater Treatment Facility (WWTF). This document contains responses to written comments received from interested parties regarding the Tentative Waste Discharge Requirements (TWDRs) circulated on 13 April 2007. Written comments from interested parties were required by public notice to be received by the Regional Water Board by 15 May 2007 to receive full consideration. Written comments were received from:

1. City of Atwater (City)
2. United States Environmental Protection Agency, Region IX (USEPA)
3. Mr. John E. Whiting, Attorney for Gallo Cattle Co.

Written comments from the above interested parties are summarized below, followed by the response of the Regional Water Board staff.

---

**CITY OF ATWATER (CITY)**

---

**CITY – COMMENT 1:** The City requests that the monthly average ammonia effluent limitation be recalculated to reflect the weekly monitoring frequency.

**RESPONSE:** The requested change has not been made. As noted in the Fact Sheet (see footnote 5 in table entitled “WQBEL Calculations for Ammonia”), USEPA recommends that the value of “n” should not be less than the averaging period upon which the criterion value is based. This recommendation is presented in a document entitled “*Water Quality Criteria; Notice of Availability; 1999 Update of Ambient Water Quality Criteria for Ammonia; Notice*” published in the Federal Register on 22 December 1999. Consistent with USEPA’s recommendation, “n” was set equal to 30 since the chronic criterion for ammonia is expressed as a 30-day average.

**CITY – COMMENT 2:** The City requests that the due dates throughout the TWDRs be extended approximately six months given that the hearing was delayed six months.

**RESPONSE:** On 7 December 2006, the Regional Water Board continued the hearing to further consider only the limitations and monitoring for ammonia. The hearing will resume in June for this focused purpose. Revisions to the dates may, at the Regional Water Board’s discretion, be extended.

---

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (USEPA)**

---

**USEPA – COMMENT 1:** The basis for granting a compliance schedule for compliance with the final ammonia effluent limitations is not discussed in the Fact Sheet.

**RESPONSE:** Language has been added to the Fact Sheet explaining the basis of the proposed compliance schedule.

---

**MR. JOHN WHITING, ATTORNEY FOR GALLO CATTLE CO.**

---

**MR. WHITING – COMMENT 1:** Findings concerning the origin of the Atwater Drain and the rights to water in the Atwater Drain are incorrect and incomplete.

**RESPONSE:** Finding 29 and corresponding sections in the Fact Sheet have been modified to better reflect the agreement between Gallo Ranch and the City concerning the rights to the WWTF effluent. Other comments regarding the Atwater Drain will be considered as appropriate during future permit renewals.