



CVCWA

Central Valley Clean Water Association

Representing Over Fifty Wastewater Agencies

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September 2, 2014

Via Electronic Mail Only

Mr. David Kirn
Water Resource Control Engineer
Regional Water Quality Control Board,
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670
david.kirn@waterboards.ca.gov

RE: Comments on the Tentative Waste Discharge Requirements Order R5-2014-XXXX,
City of Woodland, Water Pollution Control Facility, Yolo County

Dear Mr. Kirn:

The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to comment on the tentative Waste Discharge Requirements for the City of Woodland Water Pollution Control Facility (Tentative Order). CVCWA is a non-profit association of public agencies located within the Central Valley region that provide wastewater collection, treatment, and water recycling services to millions of Central Valley residents and businesses. We approach these matters with the perspective of balancing environmental and economic interests consistent with state and federal law. In this letter, we provide the following comments regarding the implementation of the Delta Regional Monitoring Plan (RMP).

The Tentative Order represents the first permit in which the Central Valley Regional Water Quality Control Board (Regional Board) incorporates the provisions of the proposed Delta RMP, which is scheduled to go before the Board members during the October 9-10, 2014 Board Meeting. As it is implemented in this Tentative Order, there are some inconsistencies with

respect to the compliance determination language that should be rectified. For example, the Tentative Order states that receiving water data that is not specifically required to be collected by the permit, i.e., data collected from the Delta RMP, will not be used directly to determine that the discharge is in violation of the permit.¹ However, in the next sentence, the Tentative Order states that data from the Delta RMP may be used in conjunction with other data to determine if a discharge is in compliance with the permit. The Monitoring and Reporting Program (i.e., Attachment E or MRP) includes an explanation as to what is meant with respect to the compliance determination language referenced here. To ensure consistency between the compliance determination language and the MRP, we recommend that the compliance determination language be revised as follows: “As described in Section VIII of Attachment E, such data may be used, if scientifically defensible, in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.”

Further, this language leaves some ambiguity as to what happens when a discharger chooses to participate in the Delta RMP. The Tentative Order includes receiving water limitations for temperature and pH, among other parameters.² Under the MRP in the Tentative Order, the City of Woodland must monitor these parameters at receiving water monitoring locations RSW-001 and RSW-002.³ For temperature specifically, the Tentative Order provides that compliance with the temperature receiving water limitation will be determined based on the difference in temperature measured at RSW-001 and RSW-002.⁴ With the proposed Delta RMP, a discharger does not have to conduct individual receiving water monitoring if it participates in the Delta RMP, yet the data from the Delta RMP may not be used to determine compliance.⁵ These types of logical inconsistencies should be reconsidered and revised so that the City of Woodland understands how compliance with the receiving water limitations will be determined if it participates in the Delta RMP.

The Tentative Order also includes a Special Reopener Provision, which states that the “Central Valley Water Board is developing a Regional Monitoring Program for the Sacramento-San Joaquin Delta.”⁶ This section should be deleted, or at least revised to account for the concurrent adoption of the Delta RMP with the Tentative Order.

With respect to the Effluent and Receiving Water Characterization requirements in Section IX.D of the MRP, CVCWA requests additional clarification for dischargers that choose to

¹ Tentative Order, p. 23.

² Tentative Order, p. 6-8.

³ Tentative Order, pp. E-10 to E-11.

⁴ Tentative Order, p. 7.

⁵ Compare Tentative Order, p. E-9 with Tentative Order, p. 23.

⁶ Tentative Order, p. 13.

participate in the Delta RMP. As currently proposed, individual POTWs will have a choice in selecting between conducting receiving water monitoring for the receiving water characterization study, or relying on data from the Delta RMP for such characterization. However, the proposed language does not clarify if individuals will need to supplement Delta RMP data if the Delta RMP program does not collect receiving water characterization data for all of the parameters listed in Table E-11. The language in the MRP should be revised to clarify the individual discharger's responsibilities with respect to obtaining such characterization information so that there are no surprises when subsequent reports of waste discharge are filed for permit renewals.

We appreciate your consideration of these comments. If you have any questions or if CVCWA can be of further assistance, please contact me at (530) 268-1338 or eeofficer@cvcwa.org.

Sincerely,



Debbie Webster
Executive Officer

cc (*via email*): Pamela Creedon, Central Valley Regional Water Quality Control Board