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Via U.S. Mail and email to daniel.benas@waterboards.ca.gov

June 24, 2016

California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, #200
Rancho Cordova, CA
Sacramento, CA 95670

Re: Tentative Waste Discharge Requirements
Discharger: Strathmore Public Utility District
Date Issued: May 2, 2016

To Whom It May Concern:

Please be advised that this firm represents the interests of the Strathmore Public Utility District in regards to the Tentative Waste Discharge Requirements issued to the District on May 2, 2016. This correspondence shall serve as the District's response and general objections to the tentative requirements. The District's general concerns are noted, followed by specific comments and concerns regarding most of the categories contained in the Tentative Waste District Requirements.

General Concerns

The new Waste Discharge Requirements (WDRs) and Monitoring and Reporting Program (MRP) will require the District to incur significant capital and annual expenses. Many elements will require capital costs to implement. As the District is a severely disadvantaged community with a median household income of approximately \$18,650, the District cannot raise rates to finance the anticipated capital improvements necessary to comply with the WDRs/MRP. The District has no grant or loan source currently available to finance capital improvements of this magnitude. In the unlikely event the District were to successfully complete a Proposition 218 hearing to raise rates, its customers could not afford the rate increase necessary to fund the required capital improvements. Also, operational and maintenance costs will increase with the new facilities and reporting requirements, including the potential for additional and/or higher trained staff.

Specific Comments

1. The proposed WDRs will likely mandate a new wastewater treatment facility, such as
 - a. A Title 22 Recycling and nutrient management; or
 - b. A nitrogen reduction plan; and
 - c. A salinity management plan (EC limitations)

The proposed T22 type facility will require higher certification for operators as well as increased operations and maintenance efforts. The District's current plant operator holds a T3 license, and would require years of additional schooling, as well as experience under a qualified license holder of at least one year, before being qualified to operate such a facility. Given the disadvantaged nature of the District, it is highly unlikely that the District would be able to hire the full time qualified operator necessary for such a facility, or even for the time necessary to provide the requisite on-job training for its current operator. Annual narrative reports will be required to address progress on required elements that are to be completed over a ten (10) year period, which will result in additional costs to the District.

2. The proposed MRP will significantly increase monitoring costs, including the time associated with sample collection. The Quarterly reports required including a fourth quarter report addressing annual information.

3. No numerical discharge specifications (i.e., discharge concentrations) exist. Discharge will be measured against groundwater limitations and Basin Plan requirements. Effort will be expended defending treatment performance.

4. The time schedule for groundwater monitoring program is unrealistic. The current schedule provides only ninety days to prepare addendum to existing work plan. The schedule provides only 180 days to complete installation of new monitoring wells, without any consideration of the need to fund the work.

5. Vegetation management efforts to address Provision 14, Items b and c, cannot be suspended for 90 days, during the period noted, which is the period when vegetation will most likely be a problem (i.e., spring). The District also seeks direction on determining the presence of nesting birds in the vegetation areas and the potential disturbances caused by on site activities.

6. Providing the MDL along with the RL/PQL does not appear justified. The RL/PQL should be sufficient for reporting purposes. If a result is "estimated," the MDL can be noted as needed

7. Reporting five years of quarterly groundwater monitoring data appears excessive, as this will be twenty quarterly reports. A reporting period of eight quarters or fewer would be sufficient to identify trends. Longer periods may warrant consideration on an annual basis.

Background

1. The background facts fail to mention that the median household income for District customers is \$18,650, as calculated by an MHI study completed in the summer of 2015.

2. (Page 1, Item 6) The District has partially complied with the CAO requirements in this section. The pond soil as identified in characterization efforts will need to be removed. This will result in an additional disposal effort.

Wastewater Treatment and Disposal

1. (Pg. 2, Item 13) EC Data. Should influent EC data (which is monitored) be considered? There should be no significant decrease resulting from treatment due to the clarigester. Alternatively, the EC data up to 2004 could be considered.
2. (Pg. 2, Item 13) Copper Data. The copper results appear high when compared to other dischargers in the area. Is the District getting into a hazardous sludge and soil situation again? Does this suggest that the District will be required to implement copper management protocols? If so, such protocols would result in addition studies, reports and potential improvements to the District's Waste Water Treatment Plant.

B. Effluent Limitations

1. (Pg. 12, Item 1) EC limitation is source water plus 500 um hos/cm (B.1). Will this be hard to achieve without significant treatment processes? Is revisiting source water discussion worthwhile?
2. There are no other numerical limitations noted (i.e., no BOD or TSS limits)

C. Discharge Specifications

1. (Pg. 12, Item 3) Discharge cannot cause a violation in Groundwater Limitation (essentially T22 MCLs per the Basin Plan). Furthermore, no numerical specification is stated or quantified.
2. (Pg. 13, Item 14e) Vegetation management now needs to consider birds nesting between April 1 and June 30.

Influent Monitoring

The District anticipates that the tentative monitoring requirements will cost \$4,060 annually. The BOD and TSS monitoring, which cost \$50 per set, will be required weekly as opposite to their current quarterly schedule. This is a net increase of \$2,400. The new effluent monitoring requirements will necessitate sampling of additional parameters (e.g., nitrogen matrix, sodium, chloride, possibly general minerals).

Effluent Monitoring

The District will have to significantly increase the number of parameters it currently monitors. Increase in number of parameters monitored. It currently monitors four parameters, and will be required to monitor twenty-seven. This includes the new weekly BOD and TSS monitoring increase from quarterly to weekly, at a cost of \$50 per set, and a monthly nitrogen matrix (ammonia, nitrates, TKN and total nitrogen). This will cause an approximately \$6,000 annual increase in the district's monitoring costs.

Groundwater Monitoring

All of the District's monitoring requirements will increase from annual to quarterly sampling. The annual monitoring costs, per well, will increase approximately \$1,200 per well. This does not take into account the fact that the District will need to drill numerous operational wells, since the District's seven current test wells are not operational. Each well will cost at least \$100,000 to construct. The District simply doesn't have the capital to finance such an endeavor, let along maintain such an operation in perpetuity once the wells are completed.

Conclusions

The District seeks the Board's input and direction on the above concerns. The District asks that the board revisit its tentative WDRs/MRP, taking into account the draconian costs of implementation that such requirements would pass on to the District. The unrealistic financial burden of compliance will certainly make it impossible for the District to meet the goals set by the Board.

The District wishes to work with the Board to modify the requirements so that they are attainable. The financial burdens on the District's customers would otherwise make the goals of these requirements unobtainable. At the very least, the District asks for direction from the Board regarding the potential liability it will incur if it fails to meet these requirements.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. C. Pierce', is written over a horizontal line.

Matthew C. Pierce
General Counsel
Strathmore Public Utility District

cc: Dennis Keller, Keller/Wegley
SPUD