

Regional Water Quality Control Board  
Central Valley Region

15/16 February 2024 Board Meeting

Response to Written Comments for  
Aqua Clear Farms, Inc. and Hatch Investments Limited Partnership  
Aqua Clear Farms

Tentative Waste Discharge Requirements

In a 29 November 2023 Notice of Public Hearing, Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) staff (Staff) circulated tentative Waste Discharge Requirements (WDRs) for Aqua Clear Farms (Facility) in Solano County for consideration by the Central Valley Water Board at a public hearing scheduled for 15/16 February 2024 (Tentative WDRs Order R5-2024-XXXX).

Aqua Clear Farms, a California corporation, owns and operates the Facility. Hatch Investments, a California limited partnership, owns the land where the Facility is located (collectively, "Dischargers"). The Facility consists of multiple operational, planned, and former surface impoundments (referred to as "basins") the Dischargers use to process drilling muds. Current operations at the Facility consist of discharge of drilling mud from vacuum trucks or tankers directly into certain basins.

This document contains responses to written comments received from interested persons regarding Tentative WDRs Order R5-2024-XXXX, including Tentative Monitoring and Reporting Program (MRP) Order R5-2024-XXXX, circulated on 29 November 2023. Written comments were required by public notice to be received by the Central Valley Water Board by 29 December 2023 to receive full consideration. Comments were received from Pacific GeoSciences on 21 December 2023 and The SERES Group on 27 December 2023, both on behalf of the Dischargers. Written comments are summarized below, followed by responses from Central Valley Water Board staff.

Central Valley Water Board Staff also made minor changes to Tentative WDRs Order R5-2024-XXXX, including Tentative MRP Order R5-2024-XXXX, to improve clarity and fix typographical errors.

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**DISCHARGERS' COMMENTS**

**DISCHARGERS' COMMENT NO. 1:** For Tentative WDRs Order R5-2024-XXXX Finding 182 and Table 12, Reasonably Foreseeable Corrective Action Cost Estimate should be revised to reflect recommendations made in a 30 December 2022 letter which recommended the installation of two new ground water extraction wells in lieu of the 5 new extraction wells recommended in *Engineering Feasibility Study for Corrective Action of Shallow Ground Water Zone, Aqua Clear Farms, Inc., Solano County, California*, dated 31 October 2016. The Dischargers recommend the following revisions:

- The capital cost for the installation and development of two additional extraction wells is \$33,380 (based on an October 2023 cost estimate from Gregg Drilling LLC).

- The annual cost estimate for operations, maintenance, monitoring (sampling and analysis), and reporting for these two wells is \$3,400. The cost estimate for the first 30 years is \$102,000.
- The reasonably foreseeable total proposed groundwater corrective action cost estimate for the first 30 years of post-closure operation is \$135,380 (\$33,380 + \$102,000 = \$135,380, in 2023 dollars).

**RESPONSE:** Finding 182 and Table 12 are revised to reflect that the groundwater corrective action cost estimate for the first 30 years of post-closure operation for two (2) new corrective action wells is \$135,380 (\$33,380 + \$102,000 = \$135,380), in 2023 dollars. The total corrective action cost for three (3) existing corrective action wells (\$71,904) and two (2) proposed new corrective action wells (\$135,380) is \$207,284 (2023 dollars). Tentative WDRs Order R5-2024-XXXX Finding No. 198 is also revised to consider the adjusted Corrective Action costs.

**DISCHARGERS' COMMENT NO. 2:** For Tentative WDRs Order R5-2024-XXXX Requirement J, Other Provisions, Item 5, the short time period provided for such an extensive hydrogeologic investigation is unrealistic. The time required to outline the objectives and scope of the project and presumably the need for preparation of a work plan, the time required for the Central Valley Water Board Staff to review and approve the work plan, time required to obtain private and/or public party authorization for site access, if provided at all, the demanding field work schedule for on-site and off-site drilling, some possibly at great depth, and groundwater sampling, and the time required to summarize and evaluate all field and laboratory data for report preparation, a much later final report submittal date is necessary. Without an extension of the report deliverable date, only an interim project report can be submitted by 1 September 2024. The EMP final report deliverable date should be revised to December 31, 2024.

**RESPONSE:** Tentative WDRs Requirement J, Other Provisions, Item 5 are revised to require a final report by 31 December 2024.

**DISCHARGERS' COMMENT NO. 3:** For Tentative MRP Order R5-2024-XXXX, Table 1 - Groundwater Monitoring Network, Well 4D is believed to be a Detection, Corrective Action well. Further, Well 10R2 has recently replaced Well 10R; Well 10R no longer exists.

**RESPONSE:** Tentative MRP Order R5-2024-XXXX, Table 1 - Groundwater Monitoring Network is revised. Tentative WDRs Order R5-2024-XXXX, Table 8 is also revised.

**DISCHARGERS' COMMENT NO. 4:** For Tentative MRP Order R5-2024-XXXX, *Table 3 - Groundwater Detection Monitoring, Constituent Parameters*, the requirement to report "Dissolved Inorganics (Attachment B)" in Table 3 should include a footnote explaining that only eight metals in this list (arsenic, barium, boron, magnesium, manganese, mercury, nickel, and zinc) are to be analyzed annually. The complete Attachment B list is to be analyzed as part of the 5-year constituents of concern (COC) suite, as per Table 4 of the TMRP. The Dischargers recommend modifying Table 3 by adding a footnote applicable to

the “Dissolved Inorganics (Attachment B)” constituents requiring annual analysis of the eight described metals.

**RESPONSE:** Tentative MRP Order R5-2024-XXXX, *Table 3 - Groundwater Detection Monitoring, Constituent Parameters* is revised to include a footnote that arsenic, barium, boron, magnesium, manganese, mercury, nickel, and zinc are required dissolved inorganics.

**DISCHARGERS’ COMMENT NO. 5:** For Tentative MRP Order R5-2024-XXXX, *Table 5 - Groundwater Detection Monitoring, Groundwater Conditions*, Footnote 3 on this page appears to be applicable to Table 5, however, the footnote number is not included in the table. Considering there are no other footnotes used in this table, the number should be changed to “1”.

**RESPONSE:** Tentative MRP Order R5-2024-XXXX 1.d. is revised to clarify that the subject groundwater conditions should be monitored, to the extent feasible, in a manner where the information is determined separately for: (1) the uppermost aquifer; (2) any zones of perched water; and (3) any additional zone of saturation monitored based upon water level elevations taken prior to the collection of the water quality data submitted in the report. (Title 27, § 20415, subd. (e)(15).)

**DISCHARGERS’ COMMENT NO. 6:** For Tentative MRP Order R5-2024-XXXX, *Table 8 – Unsaturated Zone Detection Monitoring (Lysimeters), Constituent Parameters*, as described in Dischargers’ Comment No. 5, modify Table 8 by adding a footnote applicable to the “Dissolved Inorganics (Attachment B)” constituents, requiring annual analysis of the eight metals listed previously. Include the use of footnote “1” in Table 8.

**RESPONSE:** Tentative MRP Order R5-2024-XXXX, Table 8 is revised to include a footnote that arsenic, barium, boron, magnesium, manganese, mercury, nickel, and zinc are required dissolved inorganics.

**DISCHARGERS’ COMMENT NO. 7:** For Tentative MRP Order R5-2024-XXXX, *Table 11 – Surface Water Detection Monitoring, Physical Parameters* the requirement to monitor electrical conductivity of all storm events is excessive and burdensome to the facility. This monitoring parameter should be analyzed twice per year like all other surface water monitoring parameters listed in Tables 11 and 12.

**RESPONSE:** Tentative MRP Order R5-2024-XXXX, Table 11 – Surface Water Detection Monitoring, Physical Parameters is revised to require monitoring of “Major Storm Events” as defined in Tentative MRP Order R5-2024-XXXX C.7.

**DISCHARGERS’ COMMENT NO. 8:** For Tentative MRP Order R5-2024-XXXX, *Table 12 – Surface Water Detection Monitoring, Constituent Parameters* the calcium test requirement should be removed since the data are of limited use in surface water monitoring. The existing field and laboratory parameters of conductivity, TDS, chloride, and sulfate provide adequate data in which to interpret the Facility’s possible impact on surface water runoff; calcium monitoring would provide redundant data.

**RESPONSE:** Tentative MRP Order R5-2024-XXXX, Table 12 – Surface Water Detection Monitoring, Constituent Parameters is revised to remove calcium as a required constituent parameter.

**DISCHARGERS' COMMENT NO. 9:** For Tentative MRP Order R5-2024-XXXX, *Table 14 – Surface Impoundment Monitoring, a. Required Network*, the text mistakenly references Table 10; it should be Table 13.

**RESPONSE:** Tentative MRP Order R5-2024-XXXX, Table 14 –Surface Impoundment Monitoring, a. Required Network is revised.

**DISCHARGERS' COMMENT NO. 10:** For Tentative MRP Order R5-2024-XXXX, Table 14 – Surface Impoundment Monitoring, Physical Parameters Footnote 3 for this table does not apply to surface impoundment monitoring. Remove footnote 3 from Table 14 or modify it for recording rainfall.

**RESPONSE:** Monitoring precipitation accumulation is an important and necessary physical parameter for evaluating and assessing storage capacity in surface impoundments. Table 14 is revised to clarify that the footnote applies to the sampling frequency. The reporting frequency is revised to 'semiannually.'" No other revisions are made to Tentative MRP Order R5-2024-XXXX, *Table 14 – Surface Impoundment Monitoring, Physical Parameters Footnote 3*.

**DISCHARGERS' COMMENT NO. 11:** For Tentative MRP Order R5-2024-XXXX, *Table 15 – Surface Impoundment Monitoring, Constituent Parameters*, the Dischargers' Comment No. 10 also applies to Table 15. In addition, the reporting frequency for annual constituent parameters potassium, sodium, "Dissolved Inorganics (Attachment B)," and formaldehyde should be "Annually," not "Semiannually." Note that footnote "1" (used for formaldehyde) is not explained below Table 15. Add a footnote applicable to the "Dissolved Inorganics (Attachment B)" constituents, requiring annual analysis of the eight metals listed previously. Also, explain footnote number "1" below Table 15. Also recommend changing the reporting frequency to "Annually" for all annually sampled constituent parameters.

**RESPONSE:** Table 15 is revised to 1.) remove the erroneous reference to a footnote "1" for formaldehyde; 2.) Add a footnote regarding the analysis of eight (8) inorganic metals; and 3.) Change the reporting frequency to "Annually" for all annually sampled constituent parameters.

**DISCHARGERS' COMMENT NO. 12:** For Tentative MRP Order R5-2024-XXXX, 5.e., Monitoring Parameters the table numbers presented for item ii are incorrect (Unsaturated Zone), recommend changing the text to "For the Unsaturated Zone, those in Table 7 and Table 8."

**RESPONSE:** Tentative MRP Order R5-2024-XXXX, 5.e., Monitoring Parameters is revised.

**DISCHARGERS' COMMENT NO. 13:** For Tentative MRP Order R5-2024-XXXX, 5.f., *Five-Year COCs* the table numbers presented for item vi are incorrect, recommend changing the

text to “Any other COCs listed in Table 15 (Surface Impoundment), Table 4 (Groundwater), and Table 9 (Unsaturated Zone).”

**RESPONSE:** Tentative MRP Order R5-2024-XXXX, 5.f. is revised to reflect “[a]ny other COCs listed in Table 1 (Surface Water), **Error! Not a valid bookmark self-reference.** (Groundwater) and Table 9 (Unsaturated Zone).

**DISCHARGERS’ COMMENT NO. 14:** For Tentative MRP Order R5-2024-XXXX, 5.g., Concentration Limits In the third paragraph of this section, existing background well 6 is not included in the discussion of monitoring wells used to collect background water quality data for updating concentration limits and any revisions to the WQPS. This is inconsistent with Finding 126 of the TWDRs, which stated the following: “Sufficient information exists to use results of data collected from Monitoring Wells 6A, 14, 5, 6, 7, 8, and 9 for the purpose of establishing background water quality conditions for the Facility.

**RESPONSE:** Tentative MRP Order R5-2024-XXXX, 5.g. is revised to provide for incorporation of pooled background water quality data collected from Monitoring Wells 6A, 14, 5, 6, 7, 8, and 9.

**DISCHARGERS’ COMMENT NO. 15:** For Tentative MRP Order R5-2024-XXXX, Table 19 – LCRS Sump Monitoring, Parameters for Subsequent Monitoring the analysis of metals and VOCs, including 1,2,3-Trichloropropane per method SRL-524M-TCP, are to be sampled semi annually, whereas these constituents are analyzed annually in all other environmental media. It is not understood why these constituents would require semiannual monitoring in leachate considering the water quality of leachate is fairly consistent over time. The semiannual analysis of 1,2,3-Trichloropropane by method SRL-524M-TCP is especially unusual compared to the suite of analyses required for other environmental media in the TRMP. Noted that this constituent has been included in the 5-year COCs for all other media. Recommend changing the sampling and reporting frequency to annual for the subject metals and VOC parameters. Also recommend moving the analysis of 1,2,3-Trichloropropane per Method SRL-524M-TCP to Table 20 as part of the Five-Year COC monitoring requirements.

**RESPONSE:** Tentative MRP Order R5-2024-XXXX, Table 19 is revised to require annual sampling and reporting frequency for metals and VOC parameters and analysis of 1,2,3-Trichloropropane per Method SRL-524M-TCP every five years.

**DISCHARGERS’ COMMENT NO. 16:** For Tentative WDRs Order R5-2024-XXXX, Discharge Specification B, the Standard Discharge Specifications (SPRRs, § D) are written for landfill waste management units – not surface impoundments. The language requiring the Dischargers to comply with all SPRRs should be revised to require compliance with “applicable” SPRRs in, § D.

**RESPONSE:** SPRRs, § A – Applicability describes the applicability of “landfill” requirements in the SPRRs as “The Subtitle D regulations are only applicable to MSW landfills and therefore any requirements in these SPRRs that are referenced as coming from Subtitle D are not applicable to non-MSW waste management units such as Class II surface impoundments, Class II waste piles, and non-MSW landfill

units.” SPRRs in, § D – Standard Discharge Specifications lists specifications with citations relating to “waste management units” including, but not limited to requirements for landfill waste management units referenced as coming from Subtitle D. The framework of the SPRRs is sufficient to provide for appropriate and reasoned interpretation of the Dischargers’ compliance with the requirements applicable to the Facility without revision to the Standard Discharge Specifications. No change made.

**DISCHARGERS’ COMMENT NO. 17:** Tentative WDRs Order R5-2024-XXXX, Discharge Specification B.1 and Findings 8-14, the statement “The Dischargers may discharge “drilling mud” and other associated wastes described in Findings 8, 9, 10, 11, and 12...” In the above statement, it is our understanding that drilling mud and other associated wastes may be discharged at the facility. However, because individual Findings are included (i.e. “...described in...”), one potential ambiguity is that a “stricter” interpretation of which wastes may be discharged may be the wastes described in each of the numbered Findings.

For example, the terms “other associated wastes”, do not appear in Findings 8, 9, 10, 11, and 12, possibly leaving open the interpretation that only the wastes in Findings 8, 9, 10, 11, and 12 may be discharged. The terms “other associated wastes” do not appear in the Findings until Findings #13 and #14 where the specific terms “associated (and “other” associated) designated, non-hazardous, and/or inert wastes” (including any free liquids from these wastes) are used to describe wastes. We recommend adding Findings 13 and 14 to the list of the “...may discharge... other associated wastes described in” findings, which specifically describe wastes that may be discharged, by changing the first sentence in B.1. to read: “[t]he Dischargers may discharge “drilling mud” and other associated wastes, as described in Findings 8, 9, 10, 11, 12, 13, and 14 and truck washout water described Finding 61, subject to the table-specific definitions provided below in Table 14.”

**RESPONSE:** The Tentative WDRs Order R5-2024-XXXX state that “[t]he Dischargers may discharge “drilling mud” and other associated wastes described in Findings 8, 9, 10, 11, and 12 and truck washout water as described in Finding 61, subject to the table-specific definitions provided...in Table 14. Table 14 would authorize the discharge of wastes classified as “designated” or “inert.” The discharge of hazardous waste at the Facility is prohibited (Tentative WDRs Order R5-2024-XXXX, Discharge Prohibition A.1). The Tentative WDRs Order R5-2024-XXXX would also prescribe other prohibitions and requirements on wastes discharged at the Facility. Whereas the findings of fact in Tentative WDRs Order R5-2024-XXXX, establish the basis for authorization of requirements pertaining to the discharge of “other associate wastes” at the Facility.

The proposed authorization of the discharge of “other associated wastes” at the Facility is not without condition or limits. The subject tentative requirements provide for the authorized discharge of “drilling mud,” including “other associated wastes,” with the expectation that the Dischargers maintain compliance with Tentative WDRs Order R5-2024-XXXX. For example, the Dischargers are responsible for ensuring the accurate characterization of wastes, including a determination of whether or not wastes discharged are compatible with containment features and other wastes at the waste management unit and whether or not the wastes are required to be managed as a hazardous waste [Title 27, § 20200(c)] or designated waste [Title 27, § 20210]

(Tentative WDRs Order R5-2024-XXXX, Standard Discharge Specifications (SPRRs, § D.1). The Tentative WDRs Order R5-2024-XXXX also require the Dischargers verify wastes are not hazardous wastes or otherwise prohibited prior to accepting loads for Discharge at the Facility (Tentative WDRs Order R5-2024-XXXX, Facility Specification C.2). The Tentative WDRs Order R5-2024-XXXX establish processes and controls which provide opportunity for the Dischargers to collect data and evidence necessary to resolve “potential ambiguity” or “stricter interpretation” of authorized “other associated wastes,” prior to the Dischargers accepting and discharging wastes at the Facility. Moreover, Central Valley Water Board staff are also available to answer specific inquiries regarding particular drilling muds and interpretation of compliance with adopted WDRs. No revisions are required to Tentative WDRs Order R5-2024-XXXX, Discharge Specification B.1 or Findings 8-14.

**DISCHARGERS’ COMMENT NO. 18:** For Tentative WDRs Order R5-2024-XXXX, Discharge Specification C, the Facility Specifications (SPRRs, § E) are written for landfill waste management units – not surface impoundments. The language requiring the Dischargers to comply with all SPRRs should be revised to require compliance with “applicable” SPRRs in, § E.

**RESPONSE:** See response to Dischargers’ Comment No. 16.

**DISCHARGERS’ COMMENT NO. 19:** For Tentative WDRs Order R5-2024-XXXX, Discharge Specification C.4, freeboard measurements may only be made to a liquid surface. The Dischargers recommend the following revision: “...If there is no liquid in the surface impoundment at the time of the measurement, it should be noted as “dry”.

**RESPONSE:** Tentative WDRs Order R5-2024-XXXX would implement the Title 27 requirement that freeboard measurement occur “from the water surface up to the point on the surrounding lined berm, or dike, having the lowest elevation” (Tentative WDRs Order R5-2024-XXXX Finding 102; Title 27, §§ 20164, 20375). Where no “water surface” exists in a surface impoundment, Tentative WDRs Order R5-2024-XXXX, Discharge Specification C.4 specifies that freeboard shall be taken at the lowest elevation of the drilling mud solids. A dry surface impoundment does not relieve the Dischargers of the responsibility to comply with minimum freeboard requirements. Moreover, since the Dischargers employ a drilling mud filling methodology which results in the gradual reduction of surface impoundment capacity to contain free liquids and seasonal precipitation (i.e., diminishing freeboard), it is appropriate and reasonable to monitor and quantify the changing available freeboard where no “water surface” exists in a surface impoundment. Tentative WDRs Order R5-2024-XXXX, Discharge Specification C.4 establishes this standard. No revisions are required to Tentative WDRs Order R5-2024-XXXX, Discharge Specification C.4.

**DISCHARGERS’ COMMENT NO. 20:** For Tentative WDRs Order R5-2024-XXXX, Discharge Specification C.13, the Discharges assume that the closure plan required under E.1.d. will be suitable to meet this requirement because a closure plan will be required to be submitted before Basin 9 and Basin 10 are in “pre-closure”.

**RESPONSE:** Tentative WDRs Order R5-2024-XXXX, Discharge Specification C.13 requires a closure plan which proposes clean closure of the basin pursuant to Title 27 section 21400(b)(1) relating to the “pre-closure” of Basin 9 and Basin 10. Whereas Tentative WDRs Order R5-2024-XXXX, the closure plan E.1.d requires stability analyses performed pursuant to these and previous WDRs for double-lined Class II surface impoundments closed as landfills using the peak ground acceleration from the Maximum Credible Earthquake as required by Title 27. The former relates to Title 27 requirements to attempt clean closure of surface impoundments, whereas the latter relates to the Dischargers’ proposal for a phased closure approach to Basin 9 and Basin 10 as a landfill. While the Central Valley Water Board supports efforts to minimize the burden, including costs, of preparing technical reports, the Discharges remain responsible for complying with WDRs. To the extent feasible, the Discharger may submit consolidated technical reports which satisfy multiple requirements in the WDRs.

**DISCHARGERS’ COMMENT NO. 21:** For Tentative WDRs Order R5-2024-XXXX, Discharge Specification C.14, the Discharges assume that the closure plan required under E.1.d. will be suitable to meet this requirement because a closure plan will be required to be submitted before Basin 9 and Basin 10 are in “pre-closure”.

**RESPONSE:** See response to Dischargers’ Comment No. 20.

**DISCHARGERS’ COMMENT NO. 22:** For Tentative WDRs Order R5-2024-XXXX, Discharge Specification B, the Standard Discharge Specifications (SPRRs, § D) are written for landfill waste management units – not surface impoundments. The language requiring the Dischargers to comply with all SPRRs should be revised to require compliance with “applicable” SPRRs in, § D.

**RESPONSE:** See response to Dischargers’ Comment No. 16.

**DISCHARGERS’ COMMENT NO. 23:** For Tentative WDRs Order R5-2024-XXXX, Discharge Specification C, the Facility Specifications (SPRRs, § E) are written for landfill waste management units – not surface impoundments. The language requiring the Dischargers to comply with all SPRRs should be revised to require compliance with “applicable” SPRRs in, § E.

**RESPONSE:** See response to Dischargers’ Comment No. 16.

**DISCHARGERS’ COMMENT NO. 24:** For Tentative WDRs Order R5-2024-XXXX, Closure & Post-Closure Specification E.1, based on the scope of work described, preparation of closure and post-closure maintenance plans for *all* waste management units, for closure as a landfill, and clean closure, including stability analysis, a third-party specializing in stability analyses would be retained. Because there is insufficient time for the preparation of a scoping document (similar to a groundwater investigation work plan) that complies with Title 27, preparation of a proposal by the third party, review and approval of a proposal by the dischargers and authorization of the work, and completion of the work (the schedule of a third party schedule undetermined at this time), additional time is required from the



proposed submittal date of 1 May 2024. The Dischargers request and revision of the compliance date to 1 July 2024.

**RESPONSE:** Tentative WDRs Order R5-2024-XXXX, Closure & Post-Closure Specification E.1 is revised to provide for a compliance date of 1 July 2024.

**DISCHARGERS' COMMENT NO. 25:** For Tentative WDRs Order R5-2024-XXXX, Financial Assurances F.4 the complexity and additional scope of the work in F.4., including what is necessary under Closure & Post-Closure Specification E.1, requires additional time to complete satisfactorily beyond the 1 May 2024 date. The Dischargers request and revision of the compliance date to 1 July 2024.

**RESPONSE:** Tentative WDRs Order R5-2024-XXXX, Financial Assurances F.4 is revised to provide for a compliance date of 1 July 2024.

**DISCHARGERS' COMMENT NO. 26:** For Tentative WDRs Order R5-2024-XXXX, Financial Assurances F.11 the demonstration of "full funding" should be included in the Annual Financial Assurance Report. The reference to F.9. should be F.10. The Dischargers request revision of the compliance date from 1 July 2024 to 1 November 2024.

**RESPONSE:** Tentative WDRs Order R5-2024-XXXX, Financial Assurances F.11 is corrected to Financial Assurances F.10 and modify the compliance date to 1 November 2024.

**DISCHARGERS' COMMENT NO. 27:** For Tentative WDRs Order R5-2024-XXXX, Time Schedule 16 should be updated to reflect recommended changes.

**RESPONSE:** Tentative WDRs Order R5-2024-XXXX, Time Schedule 16 is revised to modify the compliance date for Financial Assurances F.11 to 1 November 2024

**DISCHARGERS' COMMENT NO. 28:** For Tentative WDRs Order R5-2024-XXXX, the list of attachments includes two listings for "Attachment H".

**RESPONSE:** The Tentative WDRs Order R5-2024-XXXX, List of Attachments is revised to include "Attachment I Basin 9 and 10 Overlap."

**DISCHARGERS' COMMENT NO. 29:** For Tentative WDRs Order R5-2024-XXXX, Information Sheet, the date under "Financial Assurance Mechanisms and Minimum Amounts" should be changed to 1 November 2024.

**RESPONSE:** See response to Dischargers' Comment No. 26.