

California Regional Water Quality Control Board, Colorado River Basin
Prosecution Team Evidence
on the matter of
Administrative Civil Liability Complaint R7-2014-0041
Exhibit 7



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

MAR 13 2014

Robert Perdue
Executive Officer
Water Quality Control Board, Colorado River Basin Region
73-720 Fred Waring Drive, Suite 100
Palm Desert, California 92260

Re: Resolution R7-2014-0020 to Approve Pretreatment Program Submission for City of Brawley, CA,
Imperial County

Dear Mr. Perdue:

Thank you for the opportunity to comment on Resolution No. R7-2014-0020 to Approve the Pretreatment Program Submission for the City of Brawley, Imperial County (Resolution). We urge the Board to adopt this Resolution to protect the City of Brawley's publicly-owned treatment works (POTW) from industrial pollutants that can interfere with the POTW's operation or cause a violation of the POTW's National Pollutant Discharge Elimination System (NPDES) permit requirements.

As outlined in Cease and Desist Order No. R7-2008-0008, the City of Brawley's POTW has experienced chronic violations of NPDES permit limits for effluent toxicity and ammonia, among other pollutants, and the City has cited National Beef Company (formerly Brawley Beef Company) for discharging high levels of ammonia in violation of the City's existing sewer use ordinance. Adoption of the Resolution will require the City to implement a pretreatment program in accordance with state and federal pretreatment requirements to protect the POTW from harmful industrial pollutants, including enforcement of local limits for pollutants discharged to the POTW and permits issued to significant industrial users. Moreover, as the POTW has a design flow of greater than 5 million gallons per day and receives from industrial users pollutants which pass through or interfere with the operation of the POTW, the City of Brawley is required to establish a pretreatment program under Title 40, Code of Federal Regulations, § 403.8(a).

We appreciate the opportunity to express our support for the adoption of the Resolution to Approve the Pretreatment Program Submission for the City of Brawley. If you would like to discuss these comments, please contact Amelia Whitson of my staff at (415) 972-3216.

Sincerely,

Elizabeth Sallad
for David Smith, Manager
NPDES Permits Office (WTR-5)

RECEIVED

MAR 17 2014

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