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## North Coast Regional Water Quality Control Board

**Response to Written Comments  
Draft Waste Discharge Requirements  
Order No. R1-2022-0002  
National Pollutant Discharge Elimination System (NPDES)  
for the  
Humboldt County Resort Improvement District No. 1  
  
Shelter Cove Wastewater Treatment Facility  
Regional Water Quality Control Board, North Coast Region  
February 3, 2022**

### Comments Received

The deadline for submittal of public comments regarding draft Waste Discharge Requirements for Order No. R1-2022-0002, National Pollutant Discharge Elimination System Permit (Draft Permit) for the Humboldt County Resort Improvement District No. 1 (Permittee or District) Shelter Cove Wastewater Treatment Facility Wastewater Treatment Facility (Facility) was December 6, 2021. Regional Water Board Staff (Staff) received a timely comment letter from the Permittee with a single comment.

Staff offered to meet with the Permittee during the public comment period to discuss the Draft Permit, but the Permittee did not accept this invitation. Staff notified the Permittee of the proposed changes to the Proposed Permit that are described in this Response to Comments document. The Permittee's December 8, 2021 email reply to Staff indicated that Staff's response to the Permittee's comment and changes to the Proposed Permit are acceptable to the Permittee.

This Response to Comments document includes the Permittee's comment, followed by the Staff response. This document also summarizes several staff-initiated changes. Text added to the Proposed Permit is identified by underline and text to be deleted from the Proposed Permit is identified by ~~strike-through~~ in this document. The term "Draft Permit" refers to the version of the permit that was sent out for public comment. The term "Proposed Permit" refers to the version of the permit that has been modified in response to comments and is being presented to the North Coast Regional Water Quality Control Board (Regional Water Board) for consideration.

## A. Permittee Comment

**Comment:** *In Section E—Monitoring and Reporting Program—under Other Reporting Requirements, 9.4 Sludge Monitoring (Monitoring Location BIO-001), number 9.4.1.1 states, “the Permittee shall run a paint filter test, SW-846 method 9095B, on sewage sludge prior to hauling it to the landfill transfer point to verify that it does not contain free liquids.” According to an email correspondence between Shelter Cove RID Wastewater Superintendent Frank Wilson and US EPA Region 9 Biosolids Coordinator Lauren Fondahl on 6/1/21, Ms. Fondahl stated, “placing the biosolids in porous bags and letting dry before hauling to the transfer site and then landfill should meet the paint filter test requirement.” (See attached email correspondence for reference).*

*The Shelter Cove RID requests eliminating 9.4.1.1 of the MRP in the proposed NPDES permit.*

**Response:** The biosolids monitoring requirement for conducting a paint filter test was included in the monitoring and reporting program (MRP) of the Draft Permit at the recommendation of Lauren Fondahl, U.S. EPA Biosolids Coordinator. Staff emailed Ms. Fondahl on December 6, 2021 to get clarity on whether or not this requirement is necessary. In an email dated December 7, 2021, Ms. Fondahl explained that after she sent the June 1, 2021 email to Mr. Wilson she learned more about the Permittee’s process for dewatering sludge, she determined that it is necessary to require the Permittee to run the paint filter test before hauling dewatered sludge for landfill disposal. According to Ms. Fondahl, this is a quick, simple test that the Permittee can run and does not require sending samples to an analytical laboratory.

The additional information that changed Ms. Fondahl’s recommendation regarding the need for the paint filter test was gained during a June 9, 2021 inspection of the Facility. This inspection was conducted by two U.S. EPA inspectors who discussed sludge handling, dewatering, and disposal practices with the Permittee and included the following finding in their inspection report, *“The solids are not treated to the level of biosolids and undergo SW-846 Test Method 9095B: Paint Filter Liquids Test in order to detect the presence of free liquids to determine compliance with Title 40 of the Code of Federal Regulations, Sections 264.314 and 265.314 before being hauled to the Eel River Recology transfer station, and ultimately to landfill.”*

Based on the finding of the U.S. EPA inspection, it is necessary to retain the paint filter test monitoring requirement. A footnote has been added to this requirement to clarify that the test may be run by the Permittee and is not required to be run by the Permittee’s certified contract laboratory. The new footnote reads as follows: “The paint filter test may be run by the Permittee. It is not required to be run by the Permittee’s certified contract laboratory.”

## B. Staff Initiated Changes

The following section describes changes made to the Proposed Permit initiated by Staff.

### 1. Water Recycling Requirements clarification.

Table Note 1 of Table 1 has been modified to provide better clarity about the water recycling requirements in the Proposed Order. Table Note 1 has been modified to read, "As adopted at the February 3, 2022 Regional Water Board meeting, this Order does not currently authorize discharge to Discharge Point 002. Discharge from Discharge Point 002 is not authorized and the requirements specified in sections 4.3, 4.4.1, and 4.4.2.2 do not apply until the Permittee receives approval of a title 22 Recycled Water Engineering Report from the State Water Board Division of Drinking Water (DDW) and completes the permitting process for the use of recycled water either through modification of this Order or enrollment under State Water Board Order WQ 2016-0068-DDW, Water Reclamation Requirements for Recycled Water Use (Recycled Water General Order). This Order includes recycled water production requirements so that the Permittee may expedite the permitting process for the use of recycled water once the Permittee receives an acceptance letter for its title 22 Recycled Water Engineering Report."

### 2. Sludge Monitoring Requirements

When Staff engaged with Ms. Fondahl, U.S. EPA Biosolids Coordinator through email on December 7, 2021, Staff asked for clarification regarding biosolids monitoring requirement 9.4.1.2 in the MRP of the Draft Order. Ms. Fondahl replied that U.S. EPA has determined that this requirement is not necessary for most municipal wastewater treatment facilities (WWTF) and is only necessary for WWTFs in areas where there is a high potential for industrial wastes to cause the accumulation of toxic parameters in the sludge. Such is not the case in Shelter Cove, thus Staff has removed MRP requirement 9.4.1.2 of the Draft Permit as follows: "~~The Permittee shall test the sewage sludge at least once per permit cycle for the pollutants in California title 27 to verify that it is non-hazardous as defined by California standards, and does not have high levels of any of the pollutants listed in title 27 that would indicate a need for source control.~~".

### 3. Discharge Monitoring Report Quality Assurance (DMR-QA) Study requirement (MRP Section 1.6)

After the Draft Permit was released for public comment, Staff engaged in email discussions with Andrew Hamilton, State DMR-QA Coordinator and learned that the Draft Permit contains outdated language regarding the DMR-QA Study requirement. Based on Mr. Hamilton's input, MRP section 1.6 has been modified to read as follows:

**Discharge Monitoring Report Quality Assurance (DMR-QA) Study.** The Permittee shall participate in the DMR-QA program and ensure that the results of the DMR-QA Study or the most recent Water Pollution Performance Evaluation Study

from each laboratory providing testing services for the permit are submitted annually to the State Water Board at [qualityassurance@waterboards.ca.gov](mailto:qualityassurance@waterboards.ca.gov). For more information on the DMR-QA Program, contact the State DMR-QA Coordinator at the aforementioned email address.

~~State Water Resources Control Board  
Quality Assurance Program Officer  
Office of Information Management and Analysis  
1001 I Street, Sacramento, CA 95814~~

4. Source Control and Pretreatment Provisions (Order section 6.3.5.2).

Since the Permittee's Facility is classified as a minor WWTF with no pretreatment requirements, Order section 6.3.5.2 has been retitled as "Source Control ~~and Pretreatment Provisions~~"

MRP section 10.4.1, Table E.7 (7<sup>th</sup> row) and Fact Sheet section 6.2.6.2 have also been modified to read, "Source Control ~~and Pretreatment Provisions~~".