



**California Regional Water Quality Control Board
North Coast Region
Geoffrey M. Hales, Chairman**



Linda S. Adams
Acting Secretary for
Environmental Protection

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Edmund G. Brown, Jr.
Governor

April 5, 2011

Mr. Jim Barnts
Director of Public Works
City of Crescent City
377 J Street
Crescent City, CA 95531-4025

Dear Mr. Barnts:

Subject: Response to Comments; draft National Pollution Discharge Elimination System Permit, Order No. R1-2011-0019, CA0022756

File: City of Crescent City, Wastewater Treatment Facility, 210 Battery Street, Crescent City, WDID No. 1A84006ODN

Regional Water Board staff have reviewed the *Draft NPDES Permit for Crescent City* (Comments), received on March 8, 2011. Regional Water Board staff has determined that most changes requested by the City of Crescent City (City) can be incorporated into the National Pollution Discharge Elimination System Permit, Order No. R1-2011-0019. Where requested changes can not be accommodated, our responses are as follows:

Comment 5 (Page 21, Section VI.C.1.d. Reopener Provisions for Effluent Limitations for BOD₅)

Please note that any improvement in water quality is due to the recently constructed MBR process train that aids the overall performance of the existing RBC plant. The Crescent City MBR contains only one process train and relies upon the existing RBCs for complimentary and backup process capacity. The City must rely on the older RBC technology when the MBR is out-of-service for maintenance or troubleshooting. The RBCs are capable of meeting the current "30/30" permit limits and would not be capable of reliably meeting stricter effluent limits. We do not recommend that the permit be reopened without first considering Crescent City's process limitations.

California Environmental Protection Agency

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Response

In accordance with Section 301(b) of the CWA and implementing USEPA permit regulations at 40 CFR 122.44, the City's ocean discharge must meet minimum federal technology-based requirements for BOD₅ and TSS based on Secondary Treatment Standards at 40 CFR 133, which are 30 mg/L as a 30-day average concentration and 45 mg/L as a 7-day average concentration, and 85 percent removal for both parameters. Regional Water Board staff do not propose recommending effluent limitations for BOD₅ and TSS that are numerically lower than Secondary Treatment Standards. However, mass-based effluent limitations and the percent removal requirement for BOD₅ in the previous permit and retained in this draft Order are based on the treatment performance at the time of the 2006 permit renewal. The expected improvement in treatment performance over the term of the new permit as a result of pretreatment program improvements, treatment upgrades, and inflow/infiltration reductions will logically require a reassessment and recalculation of the performance based limits for BOD₅. The permit reopener proposed in the draft Order simply facilitates a modification of permit requirements. Whether the permit is reopened to modify BOD limitations depends on completeness of data set on which to base a modification and competing commitments of Regional Water Board permitting staff.

Comment 7 (Page 23 Toxicity Reduction Evaluations)

Please revise paragraph (a) to read "A TRE shall be initiated within 45 days of the date of completion of the accelerated monitoring tests, required by Section V of the MRP, observed to exceed the chronic toxicity parameter." This provides the City with adequate time to mobilize the necessary resources.

Response

The requirement to initiate a TRE within a specific time frame has been removed from the draft Order. Instead, the general timing of the various elements of a phased TRE will be expected to be incorporated into the required TRE Workplan that must be submitted for approval by Regional Water Board Executive Officer by December 27, 2011.

Comment 8 (Page 28 Adequate Capacity)

Please note that the design data provided in the recent construction plans does not necessarily represent the plant or individual process capacity available at the Crescent City facility. The design data was developed based on 20-year planning levels and divided into three potential expansion phases based on actual growth and loads. The actual capacity of the plant exceeds the Stage I design data values in some cases.

Response

The City's comments are noted and will be taken into consideration, among other factors, by Regional Water Board staff in the event that implementation of this permit provision appears necessary.

We appreciate working with the City of Crescent City towards the protection of water quality. If you have any questions, please feel free to contact me at (707) 576-2752 or creed@waterboards.ca.gov.

Sincerely,

Original signed by

Charles Reed
Water Resource Control Engineer

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Attachment 3/7/11 Comment Letter from Crescent City

Return Receipt Requested

cc: Amelia Whitson, US EPA Region 9, CWA Standards and Permits Office (WTR-5),
75 Hawthorne Street, San Francisco, CA 94105