May 16, 2006
Sanitary District No. 5 of Marin County

Comments Regarding SFBRWQCB Tentative Order Received April 14, 2006 For Renewal of NPDES Permit

The Sanitary District No. 5 of Marin County (District) appreciates the opportunity to submit the following comments on the Tentative Order (TO), received on April 14, 2006, reissuing the Paradise Cove Treatment Plant National Pollutant Discharge Elimination System (NPDES) permit.

This letter contains two substantive comments regarding the proposed copper site-specific objective for San Francisco Bay, and the level of effort required in the Pollution Prevention Program. Additionally, a number of suggested editorial changes to the TO have been made along with the request that changes made to the permit also be made in the Fact Sheet, for consistency. For suggested revisions, underline is shown for suggested additions, and ~~strikethrough~~ is shown for suggested deletions.

Comments for Tentative Order

1. **The District requests that their Pollutant Minimization Program (PMP) follow the same guidelines as other minor dischargers, such as the Town of Yountville and the City of St. Helena. Some of the requirements for the PMP as detailed in the April 14, 2006 Tentative Order appear to be onerous for a 0.020 mgd facility. Language consistent with the Town of Yountville and City of St. Helena PMP requirements is provided below:**

Submittal and Implementation of a Pollutant Minimization Program (PMP).

The PMP is required by the SIP (Section 2.4.5.1). The goal of the PMP shall be to reduce all potential sources of priority pollutant(s) through pollutant minimization (control) strategies to maintain the effluent concentration at or below a WQBEL. In the absence of effluent limits, the Discharger shall implement a waste minimization plan to achieve the water quality standards. The program shall include, but not limited to, the following actions and submittals:

Task	Deadline
(a) Pollution Minimization Program Plan. The plan shall include, but is not limited to: (1) an annual review and semi-annual monitoring of potential sources of the reportable priority pollutant(s), or alternative measures approved by the Executive Officer if it is demonstrated source monitoring is unlikely to produce useful analytical data; (2) quarterly monitoring for the priority pollutant(s) in the influent to the wastewater treatment system, or alternative measures approved by the Executive Officer if it is demonstrated influent monitoring is unlikely to produce useful analytical data; (3)control strategy design to proceed toward the goal of maintaining concentrations of the priority pollutant(s) in the effluent at or below the effluent limitation, (4) implementation of appropriate cost-effective control measures for the priority pollutant(s), consistent with the control strategy.	Within 6 months, after reasonable potential has been determined and notification by the Executive Officer.

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Task	Deadline
(b) Implementation of Plan. The Discharger shall implement an approved PMP in order to reduce pollutant loadings to the treatment plant, and subsequently, to receiving waters.	30 days after approval by Executive Officer
(c) Quarterly Monitoring. The Discharger will conduct quarterly monitoring for the priority pollutant(s) in the influent to the wastewater treatment system.	90 days after implementation of PMP, and quarterly thereafter
(d) Annual Report. The Discharger shall submit an Annual Status Report to the Board acceptable to the Executive Officer. The report should include the following: (1) All PMP monitoring results of the previous year, (including quarterly monitoring results); (2) A list of potential sources of the priority pollutant(s); (3) A summary of all actions undertaken pursuant to the control strategy; and a description of actions to be taken in the following year.	Within 12 months after implementation of the PMP and annually thereafter.

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2. **The District requests that alternative limitations for copper be included in a similar fashion as for cyanide, to represent the proposed site-specific objective (SSO)) for copper in the northern region of the San Francisco Bay. With the proposed water-effect ratio of 2.4, the dissolved chronic copper water quality objective will become 6.0 ug/L. Using the SSO of 6.0 ug/L coupled with the studies chronic translator of 0.74, the lowest total recoverable chronic value to be used in the effluent limit calculation is 8.1 ug/L. Using similar calculations for the acute SSOs, the total recoverable acute value becomes 10.6 ug/L. Suggested language is provided below.**

> *Alternative Limit for Copper*. As described in the in progress Staff Report on Proposed Site-Specific Water Quality Objectives for Copper for San Francisco Bay, the Regional Water Board is proposing to develop site-specific criteria for copper. In this report, the proposed site-specific dissolved objectives for the Northern San Francisco Bay, using a water-effect ratio (WER) of 2.4 is 6.0 µg/L as a four-day average, and 9.4 µg/L as a one-hour average. Based on the Discharger's current copper data (coefficient of variation of 0.6) and translator values of 0.74 and 0.88 (chronic and acute), final water quality based effluent limits for Copper ~~cyanide~~ will be 84.0 µg/L as a Maximum Daily, and 41.8 µg/L as Monthly Average. These alternative limits will become effective only if the site-specific objective adopted for copper contains the same assumptions in the staff report.

3. **The following suggested editorial changes are submitted for your consideration:**

   a. **The District requests that the language regarding the 2005 revisions to the State Implementation Policy be included in Finding J, and also in the Fact Sheet (page F-9):**

> **State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed*

Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that have been approved by USEPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP became effective on May 18, 2000. The State Water Board subsequently amended the SIP and amendments became effective on May 31, 2005. The SIP includes procedures for determining the need for and calculating WQBELs and requires dischargers to submit data sufficient to do so.

b. The District requests that the Six-month Median Effluent Limitation Compliance Determination (page 20) and the definition (page A-1) be removed for consistency with other recent permits and because it is not applicable to this permit.

~~**F. Six-month Median Effluent Limitation.**~~
~~If the median of daily discharges over any 180-day period exceeds the six-month median effluent limitation for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for each day of that 180-day period for that parameter. The next assessment of compliance will occur after the next sample is taken. If only a single sample is taken during a given 180-day period and the analytical result for that sample exceeds the six-month median, the Discharger will be considered out of compliance for the 180-day period. For any 180-period during which no sample is taken, no compliance determination can be made for the six-month median limitation.~~

~~**Six-month Median Effluent Limitation:** the highest allowable moving median of all daily discharges for any 180-day period.~~

c. The numbering of the General Monitoring Provisions on page E-2 should be edited to read "A," "B," "C," "D."

d. The Monitoring Location Descriptions on page E-3 should be edited as follows:

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	A-001	At any point in the treatment facilities headworks at which all waste tributary to the system is present and preceding any phase of treatment, and exclusive of any return flows or process side-streams.
001	E-001	At a point in the outfall from the treatment facilities between the point of discharge and the point at which all waste tributary to that outfall is present (maybe be the same as E-001D).
001	E-001D	At any point in the disinfection facilities for Waste ~~M~~E-001~~A~~ at which adequate contact with the disinfectant is assured.

IV. Effluent Monitoring Requirements

A. Monitoring Location E-001~~A~~, ~~B~~E-001D

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e. In Section 6, "Modify Section F.4 as follows," the Self-Monitoring Reports should be submitted quarterly, rather than monthly. Edited text is shown below.

6. Modify Section F.4 as follows:

> Self-Monitoring Reports
> For each ~~calendar month~~quarter, a self-monitoring report (SMR) shall be submitted to the Regional Water Board in accordance with the requirements listed in Self-Monitoring Program, Part A. The purpose of the report is to document treatment performance, effluent quality and compliance with waste discharge requirements prescribed by this Order, as demonstrated by the monitoring program data and the Discharger's operation practices.

f. The Facility Description on page F-5 should be edited to read that the WWTP serves 60-65 homes, rather than 50-55.

4. The District requests that any changes made due to comments made by the District or others be reflected in the Fact Sheet so that there are not conflicting bases or explanations for the Permit's requirements.