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File: WW06-12

August 15, 2006

Mr. Timothy O'Brien
Engineering Geologist
California Regional Water Quality Control Board, Region 5
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

SUBJECT: City of Lathrop Comments on Tentative Waste Discharge Requirements and Master Reclamation Permit for City of Lathrop Water Recycling Plant, San Joaquin County

Dear Mr. O'Brien:

The City of Lathrop ("City") has prepared this letter to transmit the City's comments on the Tentative Waste Discharge Requirements and Master Reclamation Permit ("WDRs") that were transmitted to us on July 28, 2006.

In addition to the comments provided below, the City would like to make two requests. First of all, the City would like to request a copy of comments submitted by parties other than the City. Secondly, the City would like to request a brief meeting, preferably prior to the August 28 final comment deadline so that we can get an understanding of the version of the WDRs that will be heard at the September 21/22 Board meeting. We will follow up with you shortly to try to arrange this "pre-meeting".

Our comments are provided below.

Comments on Waste Discharge Requirements

1. Finding 3: This finding currently reads "...WRP-1 exists presently and can treat up to a monthly average flow rate of 0.75 Million Gallons per Day (MGD)." In reality, as described in the Report of Waste Discharge ("RWD") water balance, the existing plant can treat 0.78 MGD, including 0.75 MGD of wastewater and 0.03 MGD of infiltration and inflow. Therefore, we propose that this language be replaced by the following:

"...WRP-1 exists presently and can treat up to a monthly average flow rate of 0.78 Million Gallons per Day (0.75 MGD of wastewater and 0.03 MGD of Infiltration and Inflow)."

2. Finding 4: Replace the Order Number "R5-01-251" with "5-01-251", which we believe is the correct Order number for the Crossroads Plant.
3. Finding 9: In the first sentence, replace "domestic wastewater" with "municipal wastewater" and "recycled water" with "recycled or reclaimed water". These modifications are proposed to be consistent with the legislation references in this Order.
4. Finding 11: Replace the last sentence of the Finding with the following:

"In addition, the issuance of this Order does not guarantee a future increase in capacity beyond the initial monthly average flow of ~~0.75~~ **0.78** MGD allowed by this Order, **except as authorized and approved by the Executive Officer.**"

0.78 MGD is the monthly average flow covered by the Report of Waste Discharge water balance. In addition, we have proposed adding a slight clarification to indicate that future increases of capacity are allowed under this Order once approved by the Executive Officer.

5. Finding 13: Replace the last sentence of the Finding with the following:

"Because the Mossdale Landing constituent characteristics are low, significant inflow and/or infiltration is believed to be occurring **relative to the current wastewater flowrate.**"

We note that the proportion of overall flow from inflow and infiltration is currently high due to the low wastewater flowrate but will decrease as wastewater flows increase.

6. Finding 15: The table shown here is based on the Report of Waste Discharge water balance which is not the same as the capacity of the mechanical components of the treatment train. Therefore, please replace this table with the following information:

Existing Facilities Average Dry Weather Flow	0.75 MGD
Existing Facilities Peak-Month Flow	0.94 MGD
Existing Facilities Peak-Day Flow	1.13 MGD
Existing Facilities Peak-Hour Flow	1.875 MGD

7. Findings 20 through 23: These findings recite information regarding the operation of the WRP that are not permit issues. We therefore propose that they be deleted from the WDRs. However, if they are not deleted, we would like to make the following factual corrections:
 - "18 gallons of sodium hypochlorite" in Finding 20 should be replaced by "18 gallons of sodium hypochlorite **solution**".
 - "A more through CIP procedure" in Finding 21 should be replaced by "a more **thorough** CIP procedure".

- In two locations in Finding 21, "sodium hydroxide solution" should be replaced by "sodium **hypochlorite** solution".
8. Finding 26: Replace "for disinfected tertiary recycled water (hereafter recycled water)" with "for disinfected tertiary recycled water (hereafter recycled **or reclaimed** water)".
 9. Finding 28a: Replace 0.75 MGD with 0.78 MGD. Again, the Report of Waste Discharge water balance supports this change.
 10. Finding 31: As a slight clarification, replace the last sentence with the following:

"As described in Finding 10, addition of new LAAs requires approval of the Executive Officer prior to wastewater application."
 11. Finding 32: Replace "Attachment D" with "**Attachments D.1, D.2, and D.3**" to be consistent with the Attachment headings. Also, modify the Owner under ID "L 08" from "PUH" to "**City**", as ownership of that property has now been transferred to the City.
 12. Finding 33: Replace all instances of 0.75 MGD to 0.78 MGD and all instances of 1.5 MGD to 1.56 MGD, for reasons previously explained.

In addition, please delete the line "An additional equalization/emergency storage tank with 1.075 MGD capacity". This tank was included in the Report of Waste Discharge as an "alternate" item in case that an emergency storage basin could not be built. This emergency storage basin will be built, and as a result, the system will have enough equalization and emergency storage volume for the upcoming expansion without the addition of a new tank. Therefore, this storage tank is no longer required and is no longer anticipated to be built during this upcoming expansion.

13. Finding 34: As a clarification, please replace the first sentence with the following:

"The Discharger plans to construct treatment facilities at WRP-2 to treat additional wastewater flows from three residential and commercial developments, named Central Lathrop Specific Plan, South Lathrop, and North of CLSP."

Also, please delete "solids handling and dewatering" from the last sentence as those facilities will be part of the Shared Treatment Facilities described under Finding 36 (i.e., they are not part of the WRP-2 individual facilities).
14. Finding 36: As a clarification, please change the word "pond" in the last sentence to "basin".
15. Finding 37: Replace the last portion of the finding to read "Table 5-1 **Addendum #1** identifies 7,385 **1,552** MG of developable storage pond capacity".

16. Finding 38: For clarity, we propose that the next to last sentence be replaced with the following:

"The RWD estimates that 1,016 Mgal (3,118.8 ac-ft) of storage capacity is required for the 6.24 MGD capacity under 100-year rainfall conditions. The storage pond acreage included in RWD water balance is greater than is required to support a 6 MGD capacity under these conditions.

17. Finding 41: As a slight clarification, replace the beginning of the last sentence with the following:

"Consistent with Finding 30, this Order allows...."

18. Findings 51 and 52: These findings discuss the sanitary sewer overflows with information that is not necessary or related to the permit. The State Water Board's Order 2006-0003-DWQ contains requirements regarding sanitary sewer overflows for all wastewater treatment facilities in California. Findings 50 and 53 cover the issue adequately, so we propose deleting Findings 51 and 52.

19. Finding 60: As currently crafted, this finding implies that wastewater is being transported to surface waters because of the damaged stormwater pipe. This is not the case. Therefore we request the third sentence of the Finding that begins with the words "The damaged pipe is near..." be deleted.

20. Finding 61: The table of wells has some missing information and some incorrect information, as described below.

- Wells MWR-1, MWR-4, MWR-11, and MWR-12 are all currently used for water level monitoring only, as described in the Regional Board-approved Sampling and Analysis Plan.
- The date drilled for MBRMW-4 should be 9/29/05.
- The dates drilled for RMW-1, RMW-2, RMW-3, and RMW-4 should be 3/31/04, 3/30/04, 3/30/04, and 9/27/05, respectively.
- The well name for "RWM-5" should be "RMW-5", and its date drilled date should be 9/27/05.
- The heading "Reiter Property Pond" should be replaced by "Reiter and Nurisso Property Ponds", since not all the wells shown are located on the Reiter Pond property.
- The City is proposing that wells MWM-6, MWM-7, MWM-8, and MWM-18 be deleted from the monitoring program. The rationale for this request is that the original purpose for these wells was to monitor Land Application Areas 17 and 52a/b, both of which were eliminated from the list of WDR-required lands as part of the last Recycled Water Expansion Report submitted in February 2006 (approved by the Regional Board in May 2006). Since the land areas that are being monitored by these wells are no longer part of the WDRs, these wells are no longer

needed, so we propose that these wells be deleted from the monitoring program.

21. Finding 64: The list of areas covered by the Order is incomplete. We replace that that the second sentence be modified as follows:

"The area of development covered by this Order can be divided into ~~three~~ **six** subareas: River Islands, Mossdale, the Reiter ~~land application area~~ **and Nurisso Pond Area, Central Lathrop Specific Plan, South Lathrop, and North of CLSP.**"

22. Findings 65 through 67: These findings reference the "TDS Water Quality Objective". The City would like to point out that there is no adopted TDS water quality objective for groundwater in the Basin Plan. The findings should be clarified to state that groundwater exceeds the water quality criteria that the Regional Board is using to interpret the narrative groundwater objective. See also our Comment 7 on the Information Sheet, included later in this letter.

23. Finding 67: The Reiter property is now proposed to be a recycled water storage pond instead of a land application area as indicated. The term "land application" should be deleted or replaced with term "recycled water storage pond".

24. Finding 67b: The last sentence is factually incorrect and should be deleted.

25. Finding 70: Replace 0.75 MGD with 0.78 MGD, for reasons described previously.

26. Finding 71: The City proposes to add some language to this finding to allow for the potential future possibility of blending of effluent with surface water or potable water as outlined in Page 5-4 of the RWD. If acceptable, we would propose that the following language be added to the last sentence:

"...concentrations exceed 1,000 mg/L, except for those cases where the Discharger has demonstrated that blending of effluent with low salinity river water or potable water can be achieved to meet all requirements of this Order. The use of effluent blending on lands where TDS average concentrations are less than 1,000 mg/L is subject to Executive Officer approval."

27. Finding 72: For clarity, we propose that "RWD" be replaced with "November 2004 RWD" in both locations where it is used in this Finding.

28. Finding 77: This finding refers to the requirement of producing an Operation and Maintenance Manual for the Treatment Plant, but the Provisions portion of the document does not contain any provision that requests it. We therefore suggest that the following language be incorporated into the Provisions portion of the Order:

"At least 45 days prior to operation of each expansion of the wastewater treatment facilities beyond the 0.78 MGD initial capacity, the Discharger shall submit an updated Operation and Maintenance Manual for the treatment facilities (WRP-1 and WRP-2) if they are modified or expanded."

29. Finding 80: This Finding does not apply to the application of reclaimed water to land. Thus, it is unnecessary and we propose that it be removed from the WDRs.

30. Finding 103: There is some missing information for some of the EIRs:

- For "Final EIR, Mossdale Landing Urban Design Component", the notice of determination date should be 1/28/03, and the City Council Resolution Number should be 03-1380.
- For "Addendum to the EIR for the Lathrop Water Recycling Plant No. 1, Phase 1 Expansion Project", the notice of determination date should be 11/6/04.
- The title of the first document on Page 25 is incorrect and should be "Addendum to the EIR, Lathrop Water, Wastewater, and Recycled Master Plan for the Five-Year Wastewater Capacity Project". Its notice of determination date should be 1/4/06 and its City Council Resolution Number should be 05-2017.
- There is an additional EIR document that is missing entitled "Addendum to the EIR, Lathrop Water, Wastewater and Recycled Water Master Plan for the Frewert Road Recycled Water Storage Ponds". Its notice of determination date should be 5/17/06 and its City Council Resolution number should be 06-2134. The mitigation measures for this document are described in Item #30 below (Finding 104o).

31. Finding 104: In order to be consistent with our last comment on Finding 103 above, we propose adding an Item (o) to this Finding for the last EIR document, which would read as follows:

"The Addendum to the EIR for the Lathrop Water, Wastewater, and Recycled Water Master Plan for the Frewert Road Recycled Water Storage Pond described no new mitigation measures. The City of Lathrop Council Resolution 06-2134 reaffirmed mitigation measures described in the Final EIR, Lathrop Water Recycling Plant No. 1, Phase 1 Expansion and Final EIR, Central Lathrop Specific Plan."

32. Provision B1: Replace 750,000 gpd with 780,000 gpd. Again, the water balance provided in the RWD supports this.

33. Provision B3: Replace 0.75 MGD with 0.78 MGD, for reasons previously explained.

34. Provision B4: We propose that the first sentence be modified to read as follows:

"Any land area proposed for use as a recycled water storage pond, wastewater pond, or land application area must have CEQA evaluation completed by the date **the corresponding Recycled Water Expansion Report is submitted.**"

We believe that this modification is needed to make the specification consistent with Finding 10, which calls for flexibility to modify the land areas through the approval of the Recycled Water Expansion Reports ("RWERs"), and Provision G1.i.ii, which indicates that RWERs must include evidence of the CEQA evaluation for its corresponding lands.

35. Provision F1.a: For clarity, we propose that the last sentence be amended as follows:

"Note that natural background conditions have not yet been established for the land application areas **and that therefore the following limitations are interim limits.**"

36. Provision G1.g: We propose that this provision be eliminated, since this requirement will already be included in the general sewer permit that the City will have to obtain.
37. Provision G1.h.ii: We propose changing the 90-day requirement for the Groundwater Well Project Description Addendum to a 120-day requirement to allow for adequate time periods to schedule drilling, obtain County permit approvals, and prepare the report.
38. Provision G1.h.iii: We propose that the "Report of Results" be renamed "Well Installation Report" so that it is clear that this report does not include any groundwater monitoring results, but merely describes the well installation activities.
39. Provision G1.i.i: We propose that the first sentence of this requirement be modified to read as follows:

"At least 90 days prior to ~~scheduled construction~~ **submittal of any Recycled Water Expansion Report**, the Discharge shall submit a Design Report, or **Design Reports for the facilities needed for the corresponding expansion.**"

Furthermore, the City requests that the last sentence of this paragraph, which requires written approval from DHS, be removed. These requests are based on the fact that, as noted in Finding 26, DHS has already approved an Engineering Report documenting the compliance of the recycled water facilities with Title 22 requirements. The City is willing to furnish Design Reports to the Regional Board for informational purposes, but does not feel that the Regional Board or DHS should necessarily need to "approve" these Design Reports since compliance with all DHS and Regional Board requirements will be fully documented in the previously-submitted Engineering Report as well as the As-Built Report that is required by Provision G1.i.ii of the WDRs.

If the Regional Board is not agreeable to the changes described above, the City would simply propose that the 90-day timeframe described above be reduced to 45 days so that the beginning of WRP construction is not pushed into the rainy season.

40. Provision G1.j.viii: Assuming that the Regional Board is amenable to Comment 26 above, we would propose modifying this provision to make it consistent with the modified Finding 71 as follows:

"Confirmation that the proposed land overlies shallow groundwater with an average TDS concentration of 1,000 mg/L or greater, unless ~~a lower~~ **an alternate** concentration is required **approved** by the Executive Officer."

41. Provision G1.j.ix: Replace 0.75 MGD with 0.78 MGD, for reasons previously explained.

42. Provision G1.j.xi: For clarity, we propose the language be modified as follows:

"Updates to the Interim SSMP that address all the items listed in Provision G.1.b above, **or as indicated by the State Board Order No. 2006-0003 if already issued to the Discharger.**"

43. Provision G1.j.xiv: We believe that there is a significant overlap between the Master Reclamation Report described in Provision G1.c and the Recycled Water Operations Plan updated described in this provision. Therefore, we would propose that the Master Reclamation Report and the Recycled Water Operations Plan be consolidated into one report. This consolidated report would implement CWC Section 13523.1 and the actions committed to in the Engineering Report.

Also note that Item (g) under this provision should be deleted, as it is a repeat of item (f).

44. Provision G7: For clarity, we propose modifying the language as follows:

"The Discharger shall use the best practicable cost-effective control technique(s) including proper operation and maintenance, to comply with discharge limits **the Effluent Limitations** specified in this Order."

Comments on Monitoring and Reporting Program

1. Effluent Monitoring: We propose that the first sentence be modified as follows:

"Effluent samples shall be collected before discharge to any effluent storage pond **or land application area** and shall be representative of the volume and nature of the discharge."

2. Reporting: In the first sentence, the word "District" should be replaced with "Discharger".

Comments on Information Sheet

1. General Comment: For consistency with the WDRs, change all references to "WWTF" to "WRP".
2. Background, Fourth Paragraph, First Sentence: Replace the first sentence with the following:

 "The WRP will provide wastewater treatment for domestic and commercial wastewater generated in the Mossdale Village, ~~and~~ River Islands, **Central Lathrop Specific Plan, South Lathrop, and North of CLSP** subdivisions."
3. Background, Fifth Paragraph, First Sentence: For reasons previously explained, replace the words "0.75 MGD" with "0.78 MGD (0.75 MGD of wastewater and 0.03 MGD of Infiltration and Inflow)."
4. Background, Sixth Paragraph, Last Sentence: Replace 750,000 gpd with 780,000 gpd, for reasons previously explained.
5. Biosolids Disposal: We would recommend changing the title "Biosolids Disposal" to "Solids Disposal".
6. Basin Plan, Beneficial Uses, and Regulatory Considerations, First Sentence: This sentence states that "surface water from the WWTF is to the San Joaquin River". This reference is confusing and should be deleted or clarified. This WDR covers the use of recycled water on land. There is no surface water discharge from the WWTF to the San Joaquin River.
7. Antidegradation, Last Paragraph on Page 4: At the bottom of page 4 there is a paragraph that precedes a list of constituents and water quality criteria. This paragraph identifies the list of constituents and the water quality criteria as water quality objectives, which implies that the criteria listed have been adopted by the Central Valley Regional Water Quality Control Board. Most of the criteria identified are not adopted water quality objectives but the Regional Board's interpretation of narrative groundwater objectives. For some of these interpretations, there is considerable controversy over their application to surface and groundwater in certain areas.

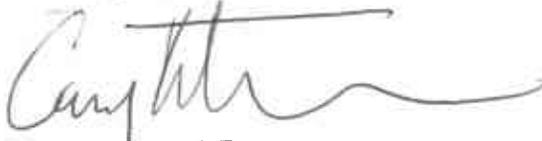
 The language should be revised to clarify that the criteria shown are the Regional Board's interpretation of the narrative groundwater objectives, and include the case-by-case evaluation that the Regional Board conducted to determine their applicability, which is required by the Basin Plan when interpreting narrative objectives.
8. Discharge Prohibitions and Specifications, Second Paragraph, First Sentence: Replace 0.75 MGD with 0.78 MGD, for reasons previously discussed.

Comments on Attachments

1. Attachment C: We suggest modifying the title to be "WRP Treatment Facilities Schematic".
2. Attachment D.1: We suggest modifying the title to be "Mossdale Village Location of Recycled Water Storage Ponds, Land Application Areas, and Monitoring Wells".
3. Attachment D.3: We suggest modifying the title to be "WRP Facilities, Reiter and Nurisso Area, Location of Recycled Water Storage Ponds and Monitoring Wells".

If you have any questions, please do not hesitate to contact us.

Sincerely,



Cary Keqten, P.E.
Director of Public Works

cc: Greg Gibson (City of Lathrop)
Dave Umezaki (EKI)
Gabriel Perigault (Eco:LOGIC)