

Central Valley Regional Water Quality Control Board  
18/19 April 2024 Board Meeting

Response to Written Comments on  
Tentative Waste Discharge Requirements and Time Schedule Order for  
City of Brentwood  
Wastewater Treatment Plant  
Contra Costa County

At a public hearing scheduled for 18/19 April 2024, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of tentative Waste Discharge Requirements and Time Schedule Order (NPDES No. CA0082660) for the City of Brentwood Wastewater Treatment Plant. This document contains responses to written comments received from interested persons and parties in response to the tentative Order. No comments were received on the Time Schedule Order. Written comments from interested persons and parties were required to be received by the Central Valley Water Board by 18 March 2024 in order to receive full consideration. Comments on the tentative Order were received prior to the deadline from:

1. City of Brentwood (Discharger) (received 13 March 2024)
2. California Department of Fish and Wildlife (CDFW) (received 28 February 2024)

Written comments from the above interested parties are summarized below, followed by the response of Central Valley Water Board staff.

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**DISCHARGER (CITY OF BRENTWOOD) COMMENTS**

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**DISCHARGER COMMENT #1 – Minor Editorial Changes**

The Discharger provided minor editorial and typographical changes throughout the tentative Order.

**RESPONSE:**

Central Valley Water Board staff concur with the minor editorial and typographical changes and have incorporated the changes into the proposed Order.

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**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) COMMENTS**

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**CDFW COMMENT #1 – Thermal Plan Exception**

CDFW staff provided a response to Central Valley Water Board staff's request for consultation on the July 2018 *Thermal Plan Exception Justification Report for the City of Brentwood Wastewater Treatment Plant* (2018 Justification Report), prepared by Robertson-Bryan, Inc. In their response, CDFW staff stated they do not concur with the proposed updated effluent and receiving water temperature limitations contained in the 2018 Justification Report and the tentative Order, citing the need for additional mitigation measures or other approaches, and request for a more comprehensive approach to monitoring temperature effects that includes the placement of temperature probes representative of all stream reaches potentially affected by the discharges and that the probes record temperature at regular intervals.

**RESPONSE:**

Central Valley Water Board staff acknowledge CDFW staff's comments and concerns and understand that further discussions with the Discharger and Central Valley Water Board staff are needed prior to requesting concurrence from the State Water Board on the updated Thermal Plan exception, and prior to the updated effluent and receiving water temperature limitations becoming effective in the NPDES permit. Thus, the alternative effluent and receiving water temperature limitations carried over from Order R5-2019-0029 and related language have been removed throughout the proposed Order and existing language discussing the status of the 2018 Thermal Plan exception request has been updated. A reopener provision has been included in Waste Discharge Requirements (WDRs) Section VI.C.1, to add alternative temperature limits into the Order, which would become effective upon concurrence from the State Water Board.

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**STAFF REVISIONS – PROPOSED ORDER**

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**STAFF REVISION #1**

For consistency with the Statewide Toxicity Provisions, Central Valley Water Board staff added the following paragraph to Attachment E, Section V.A.5, which was inadvertently omitted from the tentative Order:

5. **Additional Routine Monitoring Tests for TRE Determination.** In order to determine if a TRE is necessary an additional routine monitoring test is required when there is one violation of the chronic toxicity MDEL or

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MMEL, but not two violations in a single toxicity calendar month. This additional routine monitoring test is not required if the Discharger is already conducting a TRE. This additional routine monitoring test shall be initiated within two weeks after the toxicity calendar month in which the MMEL or MDEL violation occurred. The toxicity calendar month of the violation and the toxicity calendar month of the additional routine monitoring shall be considered “successive calendar months” for purposes of determining whether a TRE is required. This additional routine monitoring test is also used for compliance purposes, and could result in the need to conduct MMEL compliance testing per section V.B.4 above.

### STAFF REVISION #2

Central Valley Water Board staff added the following paragraph to Attachment F, Section VI.B.2, as corresponding rationale for WDRs Section VI.C.2 (Special Provision for Toxicity Reduction Evaluation):

- a. **Toxicity Reduction Evaluation (TRE).** Pursuant to the Toxicity Provisions, the Discharger is required to initiate a TRE when any combination of two or more MDEL or MMEL violations occur within a single toxicity calendar month or within two successive toxicity calendar months. In addition, if other information indicates toxicity (e.g., results of additional monitoring, results of monitoring at a higher concentration than the IWC, fish kills, intermittent recurring toxicity), the Central Valley Water Board may require a TRE. A TRE may also be required when there is no effluent available to complete a routine monitoring test or MMEL compliance test. MRP Section V.F. provides additional details regarding the TRE.

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### STAFF REVISIONS – PROPOSED TIME SCHEDULE ORDER

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### STAFF REVISION #3

Central Valley Water Board staff modified the interim effluent limits for dibromochloromethane (CDBM) and dichlorobromomethane (DCBM) that were included in the tentative Order due to more accurate calculations as follows:

Parameter	Units	Interim AMEL	Interim MDEL
Dibromochloromethane	µg/L	53	91
Dichlorobromomethane	µg/L	130	210