



September 26, 2007

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Chief, NPDES Section  
California Regional Water Quality Control Board  
Central Valley Region  
11020 Sun Center Drive, #200  
Rancho Cordova, Ca 95670-6114

**RE: Comments on AUGUST 27, 2007 DRAFT NPDES Permit for the City of Colfax**

Thank you for this opportunity to submit comments on the August 27, 2007 Revised Draft of the Proposed NPDES Permit for the City of Colfax Wastewater Treatment Plant.

We understand that the Board directed that further comments would be limited to the following issues:

1. Copper Effluent Limits
2. Nitrate Effluent Limits
3. Inflow and Infiltration issues as addressed in the proposed Cease and Desist Order
4. The requirement and schedule for lining the City's storage pond

Attached is a detailed table of comments concerning the Revised Permit language. Because the Public Hearing is limited to four specific items we have separated our comments into two categories.

The first are comments related to specific items to be discussed during the Public Hearing. The second list of comments is general and reflects clarifications we believe would be appropriate and points we want outlined in the record. If they are not addressed now, they may become problems in the future that will require amendment of the permit.

With respect to the remaining issues that are now before the Board, there appear to be two that continue to be major concerns to the City—the schedule for completion of the liner to the Storage Pond and the language with respect to I/I requirements in the proposed Cease and Desist Order (CDO). The City believes that the current language in the Permit and CDO with respect to these issues imposes unreasonable requirements that the City is not likely to be able to meet.

*David C. Carlson, Ph.D. Chief,  
California Regional Water Quality Control Board*

With respect to the liner, in order to design the liner, it is first necessary to analyze the geotechnical conditions of the bottom of the storage pond, particularly to determine, (as appears likely), whether there are springs feeding into the pond. In order to do that analysis, the pond must be drained completely, and the accumulated sludge removed and treated. This can only be done in the limited time after the pond has been dewatered. We have just now drained the pond down to the level where we can begin sludge removal. However, we first have to remove and treat the concentrated "black water" left in the pond above the sludge layer. This will require bringing in special treatment equipment. Locating and ordering such equipment is taking time to set up. It is not clear that we can do that and complete the dewatering before the winter rains set in and begin refilling the pond. If we cannot, then the analysis and liner design will have to wait until mid summer of 2008 at the earliest. If the winter rains are abnormally large, this date could be pushed off even later. This would make hitting an October 2008 deadline for completion of the liner impossible. Our professional engineers at HDR and TLA advise that an additional year to October of 2009 will be needed to complete geotechnical analysis, design the liner and any drains, and install it. We therefore request that the deadline for completion of the liner be modified to October of 2009 rather than October of 2008. If that is not acceptable, then, at a minimum, the requirement should be modified to provide a provision authorizing the Executive Officer to extend the deadline "for good cause". This would allow us to make a case to the Executive Officer if the liner installation process takes longer than anticipated.

The second issue relates to the I/I compliance order portion of the CDO. As written the order requires the City to "eliminate excessive I/I as defined by 40 CFR 35.2005(b)(16). We submit that the City has no "excessive I/I" under that legal definition. The plant has been designed to handle the present levels of I/I and therefore the I/I does not "result in chronic operational problems" as specified in the definition.

Nonetheless, if the Board is going to insist on an effort by the City with respect to I/I, at a minimum, the language of the order should be modified to require "a good faith effort to reduce I/I", not eliminate it entirely. Given the age of the City's system and large number of private laterals, the fact that Colfax receives nearly 50 inches of rain a year, and the limited resources of a city of less than 2000 citizens, it is probably both physically and fiscally impossible to "eliminate" what the Board believes to be "excessive I/I" even within 5 years. Indeed, our engineers question whether even significant reductions in I/I reaching the plant are feasible without replacing the entire collection system and all private laterals.

The California Legislature has found and declared that activities affecting water quality "shall be regulated to attain the highest water quality which is reasonable, considering all demands being made and to be made on those waters and the total values involved, beneficial and detrimental, economic and social, tangible and intangible." See Water Code §13000 (emphasis added). This section sets state policy and imposes an overriding requirement on the Regional Boards that all orders be reasonable considering all circumstances. Here to demand that the work for the liner be done in one calendar year and that within five years, the City "eliminate" excessive I/I is to demand the impossible. That is unreasonable and the language needs to be modified as suggested above, if it is to comply with the requirements of the Porter Cologne Act and basic fairness.

*David C. Carlson, Ph.D. Chief,  
California Regional Water Quality Control Board*

I hope this information will be of assistance to you. Should you have questions on this letter or any of the attached comments, please do not hesitate to contact me for clarification or additional information.

Sincerely,

*Thomas A. Farnon, P.E.*  
City Engineer.

Joan Phillippe for,  
Colfax City Manager

Outside Scope of Hearing

CITY OF COLFAX – AUGUST 27, 2007 DRAFT WDR COMMENTS		
Comments related to October Public Hearing Items		
1	CDO Page 4 First Paragraph of "TASK"	<p>The language of this provision would require the City to "eliminate" I/I within the period of the CDO. Given the age of the City system and large number of private laterals beyond the City control, the amount of rainfall the City receives, and the small size of the City and sewer treatment budget, elimination of I/I is both physically and fiscally impossible, even within 5 years.</p> <p>This requirement should be reworded to read as follows:</p> <p><u>"Prepare and implement a Capital Improvement Program to provide repairs to the collection system in a good faith effort to reduce excessive I/I as defined in 40 CFR 35.2005(b)(16)"</u></p>
1	CDO Page 5, 2. Task Schedule	<p>The City is concerned that the schedule in the permit and in the CDO is optimistic and that if there are any weather delays or other delays beyond the control of the City that the schedule cannot be met. We would therefore ask that after the schedule the following sentence be added:</p> <p>"The Executive Director is authorized to modify the schedule to meet the completion date for the Phase 2 construction for good cause. Should such a schedule change be granted the progress reporting schedule will also be extended."</p>
General Comments for the record and clarification		
1	Page 1, II. B.	On the sixth line of the paragraph add <i>filter feed pump station</i> prior to filtration.
2	Page 1, II. B. line 5	On the seventh line of the paragraph add after dechlorination <i>pH control, continuous monitoring of pH, turbidity, chlorine residual at the end of chlorine contact basin, bisulfite residual on final effluent, automatic effluent diversion system to the storage pond, discharge flow, and a 69 million ....</i>
3	Page 28, VI. C. 5. d. ii. and iii.	At the end of both of these paragraphs a reference is made to a flood return frequency of 100 years. I should read "annual 24 hour 100 year storm".
4	Page 31, VI. C. 7. b. ii.	There is a typo at the end of this paragraph the word "by" should be removed from the last sentence.

Outside Scope of Hearing

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5	Page D-2, D.2.d and e.	The lamp sleeve cleaning and lamp replacement should be based on manufactures specification as each manufacturer has different requirements. For instance some manufactures do not use a cleaning solution.
6	Page E-9, Table E-6	In Footnote 1, line 2 add after "mean sea level" per NVD88 datum
7	Page E-10	At the top of the page is a table header is there supposed to be a table here?
8	Page E-10, IX. B.	Clarification needed – Is the location for this sampling the new plant or does it only apply to the interim plant?
9	Page E-11, IX. C. 1.	Because the storage reservoir will be lined we are not sure how a sampling station will be established. We suggest that the paragraph be reworded as follows to give us flexibility during the design for the pond lining. " A sampling station for the storage pond will be established to the extent possible based on design of the pond liner. The City will work with the Regional Board Staff to come to an agreeable solution for the sampling of the storage bond."
10	Page E-15, Table E-10	The third item in the table appears to have some extra words at the end of the sentence. Should the end of the sentence be located after "nitrate"?
11	Attachment F	Clarify which plant, Interim or New, this Fact Sheet applies to.
12	Page F-1, Table F-1	The facility permitted and design flows in this table are for the interim plant shouldn't there also be information for the new plant in this table or is it only for the existing (interim) plant?
13	Page F-4, I, B.	The Permit did not expire but is still in force until the new permit is approved.
14	Page F-4, I, D.	The site visit referenced in this paragraph occurred on 22 March 2006 not 2005.

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15	Page F-5, II. A. 2. line 4	On the fourth line of the first paragraph of this section add <i>filter feed pump station</i> prior to filtration
16	Page F-5, II. A. 2. line 4	On the fifth line of the first paragraph of this section add <i>after dechlorination pH control, continuous monitoring of pH, turbidity, chlorine residual at the end of chlorine contact basin, bisulfite residual on final effluent, automatic effluent diversion system to the storage pond, discharge flow, and a 69 million ....</i>
16	Page F-8, II. D, 1.	We respectfully disagree with the opinion of the DHS. We are currently meeting the numerical effluent limits of our permit and believe the interim facility is in compliance.
17	Page F-9, II. D. 3.	The second to last sentence of this paragraph, starting on line #5 of the paragraph, needs to be completed. In addition the last paragraph has an incomplete date for when the other inspection was occurred.
18	Page F-9, II. D, 2. and 3.	The City believes that the statements made in these two paragraphs are misleading, impartial and in some cases inaccurate.
19	Page F-9, II. E, 1.	In the last paragraph on this page reference is made that "equivalent" equipment must also have prior approval from DHS. The plant is already under construction and this requirement has already been completed.
20	Page F-17, IV, B. 2. b.	In the second paragraph, the eleventh line after "dry weather" insert the word "design". On the same line at the end after "future" insert the word "design". This is to clarify that these are not the actual Average Daily Dry Weather Flow (ADDWF) but are the design ADDWF for the interim and new plants.
21	Page F-18, IV. B. 2. b. paragraph 1	The flow numbers appear to be switched in this paragraph.
22	Page F-39, Table F-8	The units for AMEL and MDEL appear to have a typo. Should they be ug/L or mg/L not ugm/L?

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23	Page F-44, IV. D. 4. a.	After "150,000 gpd of" insert the following "ground water seepage return" to clarify that this flow represents the seepage flow from ground water into the storage pond.
24	Page F-40, Table F-12 and Page 46, Table F-13	Title 22 clearly states that "the turbidity of filtered wastewater does not exceed an average of 2 NTU within a 24-hr period". The Turbidity limits in Table F-12 and Table F-13 show that the maximum daily limit is 2 NTU with no reference to the averaging within a 24-hr. period. We believe that there Needs to be a foot note and clarifying statement to reference the Title 22 requirements.
25	Page F-48, Table F-14.	Footnote (2) the flow rate should be 0.275 for the design treatment capacity for the new treatment plant.
26	Page F-64, VII. B. 7. a.	Due to the fact that the Phase I project to improve the WWTP is under construction we would like to see the second paragraph of this section re-written as follows:  "As described in Section II.D above, the Discharger has already completed the design of the new wastewater treatment plant, received bids for construction of the plant and on July 17, 2007 awarded the contract for construction with a Notice to Proceed issued to the contractor effective September 4, 2007 for a \$7.9 million project. As part of this compliance schedule the discharger will be required to provide interim status reports to the Regional Water Board regarding progress on the actual construction of the new wastewater treatment plant."
27	Page F-66, VIII. C.	Because of the continued Public Hearing for this permit shouldn't this paragraph be updated to reflect the date of the upcoming hearing in October?
28	CDO Page 1, 1. line 1.	The date reference is to the June 2007 Board approval of the WDR's shouldn't this be referenced to October 2007?
29	CDO Page 2. 5.	At the end of this paragraph add the following: "and have not achieved substantial reductions when I/I projects have been performed" Our data to date indicates that when we have performed these projects we have not seen significant reductions in I/I.

Outside  
Scope of  
Hearing

30	CDO Page 3, 12. line 1.	The date reference is to the June 2007 Board approval of the WDR's shouldn't this be reference to October 2007?
32	CDO Page 4, 1.	The last paragraph has the maximum flow rates for the Interim and new plants reversed. The maximum requested flow for the interim is 0.65 mgd and the maximum for the new plant is 0.5 mgd.
33	General comment relative to existing tertiary plant and the proposed New Plant	The design system treatment and discharge capacity is 0.5 mgd. This is irrespective of the daily influent flow which can vary depending on season and day of week from 0.15 +/- mgd to 2.2 +/- mgd. The plant treated daily discharge of 0.5 mgd provides capacity to allow for the inflow fluctuations greater than 0.50 mgd to be stored and receive partial treatment in the Ponds 1, 2 and storage pond 3 if needed (used as equalization ponds) until plant inflow becomes less than 0.50 mgd when the stored effluent can be pumped back to the treatment process to result in a resultant treated discharge of 0.50 mgd.