

**Regional Water Quality Control Board
Central Valley Region
Board Meeting – 26/27/28 May 2010**

**Response to Written Comments for AAF-McQuay, Inc., et al.
Groundwater Remediation System
Tulare County
Tentative Waste Discharge Requirements/NPDES Permit**

At a public hearing scheduled for 26/27/28 May 2010, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of renewed Waste Discharge Requirements (WDRs) (NPDES No. CA0082511) for AAF-McQuay, Inc., et al., Groundwater Remediation System. The final meeting agenda will be available at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/#2010/ at least ten days before the meeting. The agenda will provide the dates the Board meeting will be held, indicate the anticipated order of agenda items, and may include staff revisions to the tentative WDRs.

This document contains responses to written comments received from interested parties regarding the Tentative Waste Discharge Requirements (TWDRs) circulated on 26 February 2010. Written comments from interested parties were required by public notice to be submitted to the Central Valley Water Board by 5:00 pm on 5 April 2010 to receive full consideration. Written comments were received from:

1. California Department of Fish and Game
2. AAF-McQuay, Inc. (AMI), submitted by URS Corporation on behalf of AMI

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

CALIFORNIA DEPARTMENT OF FISH AND GAME (DFG) COMMENTS

DFG – COMMENT 1: DFG states that the monthly or quarterly effluent monitoring required by the Monitoring and Reporting Program (Attachment E) is not representative of the discharged water and that the required sampling frequencies do not match the effluent limitation averaging periods, such as average monthly and maximum daily.

RESPONSE: The changes have not been made. The monitoring data provided by AMI indicates the granular activated carbon (GAC) treatment systems have the ability to remove volatile organic compounds (VOCs) in the groundwater to a level below the established maximum daily effluent limitation. Data from January 2005 through December 2009 shows that AMI has not discharged water with concentrations exceeding any criteria for wildlife. In addition, the low variability among the data suggests there is little benefit to be obtained from increasing the monitoring frequencies.

Groundwater cleanup facilities are normally not subject to seasonal and yearly variations in the water quality of the discharges. This allows Central Valley Water Board staff to compare past and present data to determine whether there appears to be a pattern of

increase in concentrations. Monthly and quarterly monitoring is sufficient to determine the overall water quality of the discharges.

DFG – COMMENT 2: DFG recommends the TWDRs require AMI to hold the discharge until laboratory results of effluent samples have been received and reviewed for compliance.

RESPONSE: The change has not been made. The federal Clean Water Act and California Water Code authorize discharges of pollutants/wastes to surface waters. These discharges are regulated by NPDES permits/WDRs that include prohibitions, effluent limitations, and monitoring requirements. Discharges that violate permit requirements are subject to enforcement actions.

NPDES permits/WDRs usually authorize continuous discharges, and only in special circumstances require dischargers to hold treated effluent discharges until monitoring results are returned. In the case of the existing discharge, the volume of storage necessary to implement the DFG request is cost prohibitive and unnecessary given the type and reliability of the treatment systems and their historic performance and record of compliance. AMI is required to monitor the lead vessel of each GAC treatment system to determine breakthrough of VOCs and to ensure the carbon is exchanged before breakthrough of VOCs occurs in the polish vessel.

AAF-MCQUAY, INC., (AMI) COMMENTS, 2 April 2010

AMI – GENERAL COMMENT 1: AMI requests that references to GAC Unit No. 28G5/28G1 be changed to GAC Unit No. 28G1.

RESPONSE: The requested change has been made.

AMI – GENERAL COMMENT 2: AMI requests the latitudes and longitudes for Discharge Points 001 and 003 be corrected.

RESPONSE: The latitudes and longitudes have been corrected.

AMI – SPECIFIC COMMENT on Findings: AMI requests language be added to Findings II.R, II.T, and II.U, specifying where to find the Fact Sheet.

RESPONSE: The requested change has been made.

AMI – SPECIFIC COMMENT on Receiving Water Limitation V.A.2: AMI states it does not discharge water with fecal coliform, and therefore, sampling for fecal coliform is not warranted.

RESPONSE: Receiving water limitations are associated with the water quality objectives in the Basin Plan and apply to all receiving waters. As the discharge is not associated

with coliform sources, AMI is not required to monitor for fecal coliform. No change has been made.

AMI – SPECIFIC COMMENT on Provision VI.C.2.a.iii and Attachment A: AMI requests that NOEC be defined.

RESPONSE: The definition of NOEC has been added to Attachment A.

AMI – SPECIFIC COMMENT on Section VIII: AMI requests language be added to the compliance determination section that clarifies how Central Valley Water Board staff will determine compliance with effluent limitations.

RESPONSE: The requested change has not been made. The subject language adequately defines how monitoring data will be used to evaluate compliance. An average monthly effluent limitation does not dictate that an average monthly concentration is required to be recorded every month. Similarly, a daily maximum effluent limitation does not dictate that a daily concentration is required to be recorded every day.

AMI – SPECIFIC COMMENTS on Attachment D: AMI states that sections V.C.2 and V.F.3 in Attachment D do not apply to the discharges.

RESPONSE: No change has been made. Attachment D, Standard Provisions, is attached to all individual NPDES permits. Elements of the Standard Provisions that obviously apply to publicly owned treatment works do not apply to the AMI discharges.

AMI – SPECIFIC COMMENT on General Monitoring Provision I.D of Attachment E: AMI requests that it be allowed to store the manual containing AMI's Quality Assurance-Quality Control Program for onsite field measurements at its consultant's office instead of at the facility.

RESPONSE: Language has been added to Provision I.D. of Attachment E requiring AMI to ensure field personnel carry the Quality Assurance-Quality Control Program manual when performing onsite field measurements and during inspections of the treatment systems by Central Valley Water Board staff.

AMI – SPECIFIC COMMENT on General Monitoring Provision I.E of Attachment E: AMI notes that the sum of the maximum well yields per system does not exceed 80 percent of the permitted flow rate and states it is too costly to calibrate its flow meters.

RESPONSE: AMI must calibrate its flow meters according to manufacturers' specifications, and at least once per year, to ensure flows are reported accurately. Calibration of flow measurement devices is routinely required of, and performed by, NPDES dischargers. AMI has previously encountered problems with its flow totalizers; therefore, the requested change has not been made.

AMI – SPECIFIC COMMENT on General Monitoring Provision I.G of Attachment E: AMI requests that specific language be added to allow AMI to calculate monthly average and daily maximum discharge flows from its totalizer readings and requests that AMI not be required to keep a continuous log of flow data.

RESPONSE: The requested changes have not been made; however, provision I.G. has been changed to require AMI to report flows as daily averages.

AMI – SPECIFIC COMMENT on Table E-2 of Attachment E: AMI requests that sampling for electrical conductivity at the influent for each treatment system be reduced from once per month to once per quarter.

RESPONSE: The requested change has been made to coincide with the monitoring frequency of other constituents at the influent monitoring locations.

AMI – SPECIFIC COMMENT on Table E-3 Attachment E: AMI requests that flow measurement readings be reduced from once week to twice per month.

RESPONSE: The effluent flow monitoring frequency has been changed to once per two weeks.

AMI – SPECIFIC COMMENT on Tables E-3 and E-5 of Attachment E, and Section IV.C.3.b.i of Attachment F: AMI requests that only priority pollutant metals be monitored once year and all other priority pollutants be monitored twice per five years.

RESPONSE: The requested change has not been made. General Monitoring Provision I.H of Attachment E allows AMI to request, for approval by the Executive Officer, a reduction of monitoring frequencies. Currently only two priority pollutant monitoring event results are available. More data are needed to evaluate whether a reduction in monitoring is justified.

AMI – SPECIFIC COMMENT on Section V.B.1 of Attachment E: AMI requests that monitoring for chronic toxicity at GAC Unit No. 28E3 be reduced to once during the life of the permit.

RESPONSE: The requested change has not been made. Previous Order R5-2005-0059 required AMI to monitor for chronic toxicity only once during the life of the permit. One set of results is not sufficient to determine if the ongoing discharge has the reasonable potential to cause or contribute to an exceedance of the Basin Plan's toxicity objective.

AMI – SPECIFIC COMMENT on Section II of Attachment F: AMI states that portions of the remediation system are outside the Visalia city limits and requests language in Section II of Attachment F be revised to reflect this.

RESPONSE: Section II (Facility Description) of Attachment F has been changed to reflect this.

AMI – COMMENT on Section VIII.A.1. of Attachment E: During a meeting with Central Valley Water Board staff, AMI requested that language in Section VIII.A.1. of Attachment E be changed to reflect similar language in Order R5-2005-0059 for conditions when AMI is not required to monitor the receiving water.

RESPONSE: The requested change has been made. Thus, receiving water monitoring is not required if the flow upstream of the discharge is so low that collected samples would not be representative of the quality of the receiving water.