



# COUNTY OF PLACER FACILITY SERVICES DEPARTMENT

Phone 530-886-4900 Fax 530-889-6809  
www.placer.ca.gov

JAMES DURFEE, DIRECTOR  
MARY DIETRICH, ASSISTANT DIRECTOR  
WILL DICKINSON, DEPUTY DIRECTOR  
JOEL SWIFT, DEPUTY DIRECTOR  
MARK RIDEOUT, DEPUTY DIRECTOR  
VALERIE BAYNE, ADMIN. SVS. MANAGER

December 14, 2011

Central Valley Regional Water Quality Control Board  
NPDES - Sacramento Watershed Unit  
Attn: Gayleen Perreira  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670-6114

**RE: COMMENTS REGARDING TENTATIVE CEASE AND DESIST ORDER FOR PLACER  
COUNTY SEWER MAINTENANCE DISTRICT 3 WASTEWATER TREATMENT PLANT  
NPDES CA0079367**

Dear Ms. Perreira:

Placer County hereby submits the enclosed comments regarding the Tentative Cease and Desist Order (Tentative CDO) for Placer County (County) Sewer Maintenance District 3 (SMD 3) Wastewater Treatment Plant (WWTP). The Tentative CDO would provide protection from Mandatory Minimum Penalties (MMPs) for violations of the current discharge limitations for copper, aluminum, dibromochloromethane and dichlorobromomethane. The Tentative CDO is currently scheduled to be considered at the Central Valley Regional Water Quality Control Board (CVRWQCB) meeting on February 2/3, 2012.

The County requests the CVRWQCB staff consider and incorporate the following comments into the CDO prior to the scheduled hearing:

- In Finding 1, Paragraph 2, replace the first part of the first sentence of to read as follows:  
*"The Facility discharges up to 0.3 mgd [million gallons per day] of treated wastewater to Miners Ravine under average dry weather flow conditions..."*  
**Rationale:** The permitted capacity is 0.3 mgd as an average dry weather flow and it is not uncommon for the flow to exceed 0.3 mgd in wet weather conditions.
- Item 1 of the Order, Task b, change the deadline for submitting a *Regionalization Financing Plan* approved by the Board of Supervisors from April 30, 2012 to coincide with completing environmental documentation (Task c), September 30, 2012.  
**Rationale:** The California Environmental Quality Act (CEQA) guidelines preclude approval of projects prior to completion of the CEQA process. Because approving the financing of a project can be taken to indicate approval of a project, the County Board of Supervisors cannot approve funding for a project until CEQA documents are adopted. County staff has presented a preliminary financing plan for the SMD 3 Regional Sewer Project to the County Board of Supervisors, but formal approval of the plan will not be obtained until CEQA is complete and the project can legally be approved.

11476 C Avenue Auburn CA 95603  
Entrance at 2855 2nd Street

- Item 2 of the Order, replace the interim performance-based effluent limitations table with the following table or another, performance-based table:

Parameter	Units	Average Monthly	Average Weekly	Maximum Daily <sup>3</sup>	Instantaneous Minimum	Instantaneous Maximum
Aluminum (Total)	ug/L	116 <sup>2</sup>	--	547	--	--
	lbs/day <sup>1</sup>	0.3	--	1.4	--	--
Copper (Total)	ug/L	7 <sup>2</sup>	--	23	--	--
	lbs/day <sup>1</sup>	0.02	--	0.058	--	--
Dibromochloromethane	ug/L	4 <sup>2</sup>	--	6.5	--	--
	lbs/day <sup>1</sup>	0.01	--	0.017	--	--
Dichlorobromomethane	ug/L	23 <sup>2</sup>	--	59	--	--
	lbs/day <sup>1</sup>	0.06	--	0.15	--	--

<sup>1</sup> Based on an ADWF of 0.3 mgd

<sup>2</sup> Based on the monthly average maximum effluent concentration in recent permit period

<sup>3</sup> From WDR Order R5-2007-0070

**Rationale:** The WWTP will not be able to consistently comply with the limitations as proposed in the tentative order. The table above lists interim performance-based Average Monthly Effluent Limitations (AMELs) based on the Maximum Effluent Concentrations (MECs) recorded since the current permit was adopted on June 22, 2007 (see Table 1 below for selected effluent data). Item 3 of the order states "Failure to comply with the time schedule and/or interim limitations in this Order may result in imposition of discretionary penalties and loss of MMP protection." Therefore, the County will immediately be at risk of discretionary penalties and loss of protection from MMPs if the Tentative CDO is adopted as it is currently written.

**Table 1: Historic Exceedances of the Interim Effluent Limitations in the Tentative CDO**

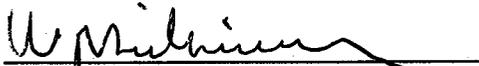
Sample Date	Monthly Aluminum (ug/L)	Monthly Copper (ug/L)	Monthly Dichlorobromomethane (ug/L)
8/16/2007			23
2/6/2008		<20.00	
3/5/2008		<20.00	
4/2/2008		6.9	
8/13/2008	98.6		
7/8/2009			21
6/8/2010	116		
8/4/2010	105		

Page E-5 of the USEPA *Technical Support Document for Water Quality-Based Toxics Control (TSD)* [EPA/505/2-90-001] contains statistical methods for establishing AMELs. According to the TSD, it is appropriate to establish the AMEL based on the normal distribution of averaged values. It appears the CVRWQCB has used this method since the footer under the table in Item 2 states the AMELs are "Based on 2.0 x the Standard Deviation + Mean." However, the average monthly data the County provided is actually comprised of a single sample result for each month, not averages. It is reported as an

average monthly result because the County is only required to collect one sample per month. The TSD indicates that "the normal distribution is not an appropriate model for individual pollutant measurements." Therefore, the limit should not be based on the normal distribution to take into account the fact that the discharger provided data is based on single monthly samples and compliance will be determined using single monthly samples. The County requests the CVRWQCB use the performance-based MECs to establish the AMELs.

Thank you for your consideration of the information included in this submittal and for preparing the proposed CDO and supporting information for your Board's February 2-3, 2012 hearing. If you have any questions or concerns please contact Kevin Bell of my staff at (530) 886-4915.

Sincerely,

  
Will Dickinson, Deputy Director

WD/KS/lm

cc: Beth Thayer, CVRWQCB  
Gary Hengst, Placer County