

**Regional Water Quality Control Board
Central Valley Region**

Board Meeting – 29/30 March 2012

**Response to Written Comments on
Tentative Waste Discharge Requirements for**

**Clear Creek Community Services District,
Drinking Water Treatment Plant**

29 February 2012

At a public hearing scheduled for 29/30 March 2012, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of tentative Waste Discharge Requirements (NPDES No. CA0083828) for the Clear Creek Community Services District, Drinking Water Treatment Plant. This document contains responses to written comments received from interested parties in response to the Tentative Order. Written comments from interested parties were required to be received by the Central Valley Water Board by 16 February 2012 in order to receive full consideration. Comments were received prior to the deadline from:

1. U.S. EPA (received 16 February 2012)

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

U.S. EPA COMMENTS

U.S. EPA – COMMENT #1:

The use of the Arid West recalculation procedure to implement alternative aluminum criteria for the narrative toxicity standard is not appropriate for this facility.

RESPONSE:

Central Valley Water Board staff has removed references to, and reliance on, the Arid West recalculation procedure for this permit. The National Ambient Water Quality Criteria (NAWQC) chronic aquatic life criterion for aluminum is 87 ug/L. Staff does not believe this criterion is appropriate for implementing the Basin Plan's narrative toxicity objective in this case because (1) the site-specific hardness conditions are greater than the hardness conditions under which the NAWQC chronic criterion was developed, (2) the results of Central Valley Region aluminum toxicity studies indicate aluminum toxicity only occurs at significantly higher concentrations in receiving waters with similar characteristics to Clear Creek, (3) the Discharger's chronic toxicity testing shows no adverse effects at 100% effluent, and (4) the Discharger's acute toxicity testing using rainbow trout shows no adverse effects at 100% effluent. Staff proposes that the

Discharger conduct a site-specific study to determine the appropriate chronic aquatic life objective for aluminum. Revisions to the tentative permit have been made to (1) clarify why the NAWQC chronic aquatic life criterion is not appropriate, (2) require the site-specific study, and (3) include a reopener provision to establish an aluminum effluent limit upon completion of the study, if appropriate.

U.S. EPA – COMMENT #2:

Based on the information included in the Fact Sheet, it is unclear whether TMDLs developed in the Central Valley for mercury, chlorpyrifos, and diazinon are applicable to the discharge.

RESPONSE:

Central Valley Water Board staff agrees with the comment. The Fact Sheet and the Permit have been clarified.

Mercury. Clear Creek is on the State Water Board's 303(d) list for mercury, but no TMDL has been promulgated for mercury in Clear Creek. Therefore, there is no mercury waste load allocation applicable to the facility. However, mercury monitoring is included in the permit.

Chlorpyrifos and diazinon. In 2007, the Central Valley Water Board adopted an amendment to the Basin Plan that addressed impairments within the Sacramento River and Feather River Basins by promulgating a water quality objective for diazinon and chlorpyrifos as well as an implementation program designed to ensure compliance with the new water quality objective. Per this implementation program, all NPDES permits for discharges (both direct and indirect) to the Sacramento or Feather Rivers must contain an effluent limit equivalent to the diazinon and chlorpyrifos water quality objective. This Order requires the Discharger to monitor the effluent for diazinon and chlorpyrifos, and includes effluent limitations for diazinon and chlorpyrifos.