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City of Nevada City

April 9, 2012

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Ms. Gayleen Perreira
California Regional Water Quality Control Board,
Central Valley Region
11020 Sun Center Drive #200
Ranch Cordova, CA 95670

RE: Comments on City of Nevada City Tentative Order (NPDES No. CA0079901)

Dear Gayleen,

In general, the City is in support of the Tentative Order for the City of Nevada City Wastewater Treatment Plant (WWTP), and we appreciate you and your staff working closely with the City during the drafting of the renewed Order. The City only has two significant comments on the Tentative Order. The first is related to reasonable potential for lead to cause or contribute to an exceedance of the water quality objective for lead, and the second is related to receiving water monitoring requirements for electrical conductivity (EC) and hardness. Detailed comments are provided as follows.

Lead

The City does not believe that there is reasonable potential for effluent lead concentrations to cause or contribute to the exceedance of a water quality objective for lead in the receiving water. During the current permit term, the City has collected 13 WWTP effluent lead results. The majority of these effluent lead results were reported as non-detect. The remaining results were reported as unquantifiable estimated values. None of the effluent lead results were reported as detected, quantifiable, concentrations. Of the unquantifiable values, the highest result was an estimated value of 0.3 µg/L. Where the maximum effluent concentration (MEC) for lead is noted in the Tentative Order, it should be noted that the MEC of 0.3 µg/L is an unquantifiable estimated value. This applies to Fact Sheet sections IV.C.3.c.iv(b) and IV.C.3.c.iv(d) of Attachment F and the table in Attachment G.

The City understands that the Regional Water Board has determined that there is “reasonable potential” for lead based on the maximum of only two upstream receiving water lead results being reported at 0.448 µg/L, which is above the upstream receiving water chronic criterion for lead of 0.26 µg/L. However, because there have been no historical effluent lead results near the lowest effluent water



City of Nevada City

April 9, 2012
Page 2

quality objective of 1.70 µg/L, or the lowest calculated water quality based effluent limitation of 1.4 µg/L, the City finds it difficult to believe that its WWTP effluent has any reasonable potential to cause or contribute to an exceedance of a receiving water quality objective for lead. Further, there have been no historical effluent lead results detected at quantifiable levels above the receiving water chronic criterion of 0.26 µg/L, which is based on a lowest 100% receiving water hardness value of 14 mg/L. In fact, based on existing data, it appears as if the discharge of WWTP effluent to Deer Creek could actually improve the water quality in the receiving water with respect to lead, rather than cause or contribute to an exceedance.

Considering the foregoing, the City believes that it is not appropriate to include effluent limitations on lead at this time. There is no evidence of risk to the environment, and yet there are costs for sampling, analysis, and reporting lead results. The City proposes that the Regional Water Board adopt the Tentative Order without effluent limitations on lead. If the Regional Water Board is unsure of the representativeness of the current database, then the Regional Water Board should require the City to conduct a lead study using more sensitive analytical methods. This study would provide quantifiable effluent and receiving water results by using lower analytical detection levels. The results of such a study would either support that there is no “reasonable potential” for lead, or provide the appropriate amount of high quality data for developing scientifically defensible effluent limitations on lead. A reopener provision could be added that would allow for a surgical reopening of the Order to address only lead effluent limitations, if the study deems such limitations are appropriate.

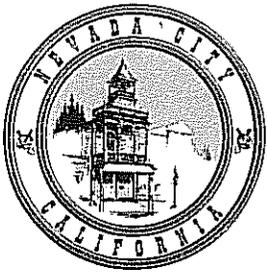
Receiving Water Monitoring

In Tables E-5a and E-5b of Attachment E, upstream and downstream receiving water monitoring for EC and hardness is required on a monthly frequency. It is unclear to the City what the Regional Water Board intends to do with these data since there are no receiving water limitations on either of these constituents. The City can understand the Regional Water Board’s interest in background EC and hardness values, which are required to be collected as a part of Priority Pollutant monitoring. However, since EC and hardness monitoring is also required at both the upstream receiving water and the effluent, it is unclear why downstream EC and hardness data are necessary.

The City believes the EC and hardness monitoring requirements included in Tables E-5a and E-5b of Attachment E should be removed because of cost with no known benefit. At a minimum, the downstream receiving water monitoring requirements for EC and hardness should be removed, and justification provided as to the purpose of collecting upstream receiving water EC and hardness data.

Summary

In general, the City is in support of the Order. However, the City believes the following changes should be made to the Tentative Order:



City of Nevada City

April 9, 2012

Page 3

- Remove effluent limitations and monitoring requirements for lead, because the WWTP effluent has no reasonable potential to cause or contribute to an exceedance of a water quality objective in the receiving water, and require an effluent and receiving water lead study for the collection of an appropriate amount of low-level lead data if the Regional Water Board believes the current database is inadequate for finding that there is no reasonable potential.
- Remove monthly receiving water monitoring requirements for EC and hardness. There is no known rational or need for this monitoring. These constituents are included in Priority Pollutant monitoring requirements.

Please contact me or Eric Zeigler with Stantec Consulting with any questions you might have regarding the contents of this letter.

Sincerely,

William Falconi, City Engineer

- c. Howard Schmitz, Chief Plant Operator
Eric Zeigler, Stantec Consulting