



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105**

Certified Mail No. 7008 3230 0000 3863 1444  
Return Receipt Requested

November 30, 2012

Diana C. Messina  
Supervising Engineer  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

Re: Tentative Order/Draft NPDES Permit for the El Dorado Hills Wastewater Treatment Plant (NPDES Permit No. CA0078671)

Dear Ms. Messina:

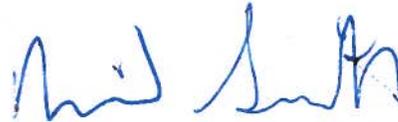
Thank you for the opportunity to review and comment on the tentative order/draft permit (NPDES Permit No. CA0078671) for the discharge from the El Dorado Hills WWTP to Carson Creek, which was public noticed on November 2, 2012. We have concerns about the draft permit that need to be addressed to ensure the permit effectively protects water quality and complies with NPDES requirements. Specifically, we are concerned with the removal of the effluent limits for bis (2-chloroethyl) ether. Pursuant to 40 CFR 123.44, we reserve the right to object to issuance of this permit if our concerns are not addressed.

The removal of the previous effluent limit for bis (2-chloroethyl) ether does not meet federal antibacksliding requirements. In order to backslide from a previous effluent limit based on water quality standards, the Regional Board must make the determination that removal of the limit meets the requirements of section 303(d)(4) of the Clean Water Act (CWA). This section of the CWA provides exceptions to backsliding based on whether the receiving water is an attainment water or a nonattainment water. Although concentrations of bis (2-chloroethyl) ether were not detected in the effluent and receiving water data, the method detection limits (MDL) exceeded both the water quality standard and the previous effluent limits. According to the fact sheet, the MDL for effluent data was 0.46  $\mu\text{g/l}$  and the MDL for receiving water data was 1  $\mu\text{g/l}$ , whereas the water quality standard is 0.031  $\mu\text{g/l}$  and the previous effluent limits were an average monthly limit of 0.031  $\mu\text{g/l}$  and a daily maximum limit of 0.062  $\mu\text{g/l}$ . Since the MDL for the receiving water data far exceeds the water quality standard, the Regional Board does not have enough information to determine whether the receiving water is an attainment or nonattainment water. Consequently, the Regional Board does not have enough

information to determine whether the backsliding exceptions provided in section 303(d)(4) are appropriate and whether antidegradation requirements will be met in removing the previous effluent limits. Therefore, the previous effluent limits for bis (2-chloroethyl) ether must be retained.

We appreciate the opportunity to provide input on the draft. Please contact me at (415) 972-3464 or Elizabeth Sablad of my staff at (415) 972-3044 if you would like to further discuss these comments.

Sincerely,



David Smith, Manager  
NPDES Permits Office (WTR-5)

cc: Victoria Whitney, SWRCB