

Central Valley Regional Water Quality Control Board  
25/26 July 2013 Board Meeting

Response to Comments  
for the  
City of Brentwood  
Wastewater Treatment Plant  
Tentative Waste Discharge Requirements

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The following are Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff responses to comments submitted by interested parties regarding the tentative Waste Discharge Requirements (NPDES Permit No. CA0082660) renewal for the City of Brentwood (Discharger) Wastewater Treatment Plant (Facility).

The tentative NPDES Permit was issued for a 30-day public comment period on 13 May 2013 with comments due by 13 June 2013. The Central Valley Water Board received public comments regarding the tentative Permit by the due date from the Discharger, the Central Valley Clean Water Association (CVCWA), and the California Urban Water Agencies (CUWA). Some changes were made to the proposed Permit based on public comments received.

The submitted comments were accepted into the record, and are summarized below, followed by Central Valley Water Board staff responses.

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## **DISCHARGER COMMENTS**

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### **Discharger Comment 1. Dilution Series. Allowance to perform the toxicity tests without a dilution series should be granted for both routine and accelerated monitoring.**

The Discharger requests revising the proposed Permit to allow the Whole Effluent Toxicity (WET) tests are performed without a dilution series for both routine and accelerated monitoring. The Discharger comments this is justified because the WET monitoring trigger is set at >1 chronic toxicity units (TUc), so any statistically significant effect observed in 100% effluent relative to the test control will result in a TUc of >1. Conducting the test using a dilution series is not necessary to evaluate compliance.

**RESPONSE:** Central Valley Water Board staff concurs with the Discharger's proposed modification. The following changes, as shown in underline/strikeout format, have been made in the MRP, Section V.B.7 of the proposed Permit:

7. Dilutions – For routine and accelerated chronic toxicity monitoring, it is not necessary to perform the test using a dilution series. The chronic toxicity testing shall be performed using the 100% effluent and one control. If toxicity is found in any effluent test, the Discharger must conduct accelerated monitoring in accordance with Section VI.C.2.a of the Limitations and Discharge Requirements ~~using the dilution series identified in Table E-4, below.~~ For the TRE monitoring, the chronic toxicity testing shall be performed using dilution series identified in Table E-4, below, unless an alternative

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dilution series is detailed in the submitted TRE Action Plan. A receiving water control or laboratory water control may be used as the diluent.

### **Discharger Comment 2. Dioxin and Furan Congener Effluent Water Characterization Study**

The Discharger comments that this study provision is excessive and unnecessary and requests this study provision be removed.

**RESPONSE:** Section 3 of the SIP<sup>1</sup> requires monitoring for dioxin and furan congeners. The purpose of monitoring was to gather sufficient data and evaluate the presence and amounts of the congeners being discharged to inland surface waters, enclosed bays, and estuaries for the development of a strategy to control these chemicals in a future multi-media approach. State Water Resources Control Board staff has communicated that there is sufficient data for the analysis and evaluation and additional data is not needed. Therefore, the monitoring requirement for dioxin and furan congeners has been removed from the proposed Permit.

### **Discharger Comment 3. Annual Pretreatment Reporting Requirements**

The Discharger comments that this section applies to reporting on significant industrial users (SIUs). There are no SIUs in the City of Brentwood WWTP service area. Therefore, the Discharger requests clarifying language be added, so that the City will not be deemed out of compliance for not reporting on SIUs that do not currently exist.

**RESPONSE:** Central Valley Water Board staff concurs and has modified the Pretreatment Program reporting requirements accordingly.

### **Discharger Comment 4. Nitrite Nitrogen, Total (as N) – Effluent Monitoring**

The Discharger commented that the proposed Permit includes a new requirement of quarterly monitoring for nitrate nitrogen, but the rationale in the Fact Sheet (Section VI.B.3 of Attachment F) states that the monitoring was carried forward from the current permit. The Fact Sheet needs to be modified to explain the reason for adding this new monitoring requirement.

**RESPONSE:** Central Valley Water Board staff concurs. The rationale for this change has been included in the Fact Sheet (Attachment F, Section IV.B) of the proposed Permit as shown below in underline/strikeout format:

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<sup>1</sup> *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP)

5. Quarterly effluent monitoring for total nitrite nitrogen has been included in this Order because nitrate and nitrite are nutrients that stimulate algal growth so the concentration in the wastewater effluent are important to understanding nutrient dynamics in the Delta. Additionally, DPH includes a primary MCL for nitrate plus nitrite (total as N). Although MUN is not a beneficial use of Marsh Creek, downstream drinking water agencies are concerned about possible drinking water impacts downstream in the Delta. This data will allow a more complete assessment of the impacts.

### **Discharger Comment No. 5. Minor Clarifications and Edits**

The Discharger requested other minor clarifications and editorial changes to the proposed Permit. Central Valley Water Board staff reviewed and agrees with the Discharger's suggested changes and has modified the proposed permit accordingly.

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### **CVCWA COMMENTS**

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#### **CVCWA Comment I. Land Discharge Specification to Emergency Storage Ponds**

Section IV.B.1, Land Discharge Specifications for Discharges to Emergency Storage Pond Nos. 006 and 008, includes a prohibition of the discharge of "designated waste" to the emergency ponds. CVCWA comments that this prohibition is inappropriate because it fails to consider that a compliance schedule has been allowed for the Discharger to line emergency storage Pond No. 6 and decommission Pond No. 8, which are time and resource intensive actions.

**RESPONSE:** In this specific circumstance, although there has been no determination by the Central Valley Water Board whether the discharges to the ponds are considered designated waste, Central Valley Water Board staff concurs it is not necessary to include a prohibition of the discharge of designated waste to the storage ponds. The proposed permit includes a compliance schedule for the Discharger to line Pond No. 6 and decommission Pond No. 8 by September 2015. Once the Discharger has completed these activities the discharge prohibition will not be needed, because the pond liner will eliminate potential impacts to groundwater.

The proposed permit, Section IV.B.1, Land Discharge Specifications for Discharges to Emergency Storage Pond Nos. 006 and 008, has been modified as shown below in underline/strikeout format:

1. The discharge of waste classified as "hazardous" as defined in section 2521(a) of Title 23, California Code of Regulations (CCR), ~~or "designated", as defined in section 13173 of the CWC,~~ to the Emergency Storage Ponds is prohibited.

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## **CVCWA Comment II. Receiving Water Limitations for Pesticides**

CVCWA comments that the proposed Permit includes receiving water limitations for thiobencarb, which only apply to receiving waters for use of domestic or municipal supply (“MUN”). Thus, CVCWA requests to eliminate these receiving water limitations.

**RESPONSE:** Central Valley Water Board staff concurs. MUN is not a designated beneficial use of Marsh Creek specified in the Basin Plan, therefore, the receiving water limit for thiobencarb has been removed from the proposed permit.

## **CVCWA Comment III. Reporting Limits, Minimum Levels, and Method Detection Limits.**

CVCWA comments that footnote 5 to Table E-3 and footnote 3 to Table E-7 of the Monitoring and Reporting Program (MRP) in the proposed Permit must be revised to be consistent with Section 2.4.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP).

**RESPONSE:** Central Valley Water Board staff concurs. The following changes, as shown in underline/strikeout format, have been made in the MRP, Tables E-3 and E-7, of the proposed permit:

For priority pollutant constituents the reporting levels shall be consistent with Sections 2.4.2 and 2.4.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (See Attachment I, Table I-1). ~~with effluent limitations, detection limits shall be below the effluent limitations. If the lowest minimum level (ML) published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP) is not below the effluent limitation, the limit shall be the lowest ML. For priority pollutant constituents without effluent limitations, the detection limits shall be equal to or less than the lowest ML published in Appendix 4 of the SIP.~~

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## **CUWA COMMENTS**

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### **CUWA Comment 1. Drinking Water Monitoring Requirements**

CUWA appreciates the monitoring that is required in the Brentwood tentative permit for drinking water constituents; however, the list of constituents does not include several key drinking water constituents. CUWA requests the following changes to the proposed permit:

- a) Add total Kjeldahl nitrogen (TKN), total organic carbon (TOC), and dissolved organic carbon (DOC) to the Effluent and Receiving Water Characterization Study,
- b) Change the monitoring frequency for the full suite of drinking water constituents (TKN, ammonia, nitrate, nitrite, total phosphorus, TOC, DOC, total dissolved solids, and chloride) in the Effluent and Receiving Water Characterization Study from quarterly to monthly, and
- c) Continue with a monthly routine monitoring frequency for nitrite and nitrate rather than reduce the frequency to quarterly, as proposed in the tentative permit.

**RESPONSE:** Central Valley Water Board staff only concurs with the first request to add TKN, TOC, and DOC monitoring to the effluent and receiving water characterization study. Increasing the monitoring frequency for the full suite of drinking water constituents in the Effluent and Receiving Water Characterization Study and the routine nitrate and nitrite monitoring is not warranted for this Facility because the Facility provides a high level of treatment, with nitrogen removal and tertiary filtration. The effluent quality is very consistent, therefore, increasing the monitoring frequency from quarterly to monthly does not provide any added value and is not justified.

## **CUWA Comment 2. Notification of Drinking Water Agencies**

CUWA requests to include a requirement in the Order to notify downstream drinking water agencies if there are spills of untreated or partially treated wastewater from the Facility or collection system that reach Delta waters.

**RESPONSE:** Central Valley Water Board staff concurs. The language in the proposed Permit in standard provision IV.A.2.f has been revised as follows in underline/strikeout format:

The Discharger shall take all reasonable steps to minimize any adverse effects to waters of the State or users of those waters resulting from any discharge or sludge use or disposal in violation of this Order. Reasonable steps shall include such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge or sludge use or disposal, and adequate public notification to downstream water agencies or others who might contact the non-complying discharge.