WEST YOST ASSOCIATES
Consulting Engineers

ATTACHMENT A

COMMENTS ON THE TENTATIVE ORDER NPDES NO. CA0079243 WASTE DISCHARGE REQUIREMENTS FOR THE CITY OF LODI WHITE SLOUGH WATER POLLUTION CONTROL FACILITY SAN JOAQUIN COUNTY

This document presents comments on the Tentative Waste Discharge Requirements, NPDES No. CA0079243 (Tentative Order) for the City of Lodi (City) White Slough Water Pollution Control Facility (WPCF). The Central Valley Regional Water Quality Control Board (Regional Board) currently regulates surface water discharge, land discharge and other reuse operations at the WPCF under Waste Discharge Requirements (WDR) Order No. R5-2007-0113[1]. Once adopted, the Waste Discharge Requirements, NPDES No. CA0079243 will regulate surface water discharges from the WPCF.

The Tentative Order was issued for public comment by the Regional Board on July 19, 2013, and comments on the Tentative Order must be submitted by August 19, 2013. For clarity, comments are categorized in three sections: Major Comments, Factual Changes, and Minor Editorial Comments.

MAJOR COMMENTS

Effluent Limitation for Temperature

The State Water Resources Control Board's *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California* (Thermal Plan) provides the following definitions.

1. *Thermal Waste - Cooling water and industrial process water used for the purpose of transporting waste heat.*
2. *Elevated Temperature Waste - Liquid, solid, or gaseous material including thermal waste discharged at a temperature higher than the natural temperature of receiving water. Irrigation return water is not considered elevated temperature waste for the purpose of this plan.*

Based on these definitions, treated wastewater effluent is defined as an "Elevated Temperature Waste." Regarding effluent limitations for Elevated Temperature Waste and Thermal Waste discharges to estuaries, page 5 of the Thermal Plan includes the following:

[1] The existing WDRs are also being concurrently amended to remove all NPDES permitting requirements, such that the revised WDRs will act as separate Waste Discharge Requirements for land discharge and other reuse operations at the WPCF. The City is submitting comments on the amended Waste Discharge Requirements separately from this document.

5. Estuaries

A. Existing discharges

(1) Elevated temperature waste discharges shall comply with the following:

a. The maximum temperature shall not exceed the natural receiving water temperature by more than 20°F.

b. Elevated temperature waste discharges either individually or combined with other discharges shall not create a zone, defined by water temperatures of more than 1°F above natural receiving water temperature, which exceeds 25 percent of the cross- sectional area of a main river channel at any point.

c. No discharge shall cause a surface water temperature rise greater than 4°F above the natural temperature of the receiving waters at any time or place.

d. Additional limitations shall be imposed when necessary to assure protection of beneficial uses.

(2) Thermal waste discharges shall comply with the provisions of 5A (1) above and, in addition, the maximum temperature of thermal waste discharges shall not exceed 86°F.

The discussion of a temperature effluent limitation in the Fact Sheet (Attachment F), Item IV.C.3.c.vi (pg. F-50) includes the Thermal Plan limitations for Elevated Temperature Waste and states that "Treated domestic wastewater is an elevated temperature waste…" Because the effluent from the WPCF is defined by the Thermal Plan as an Elevated Temperature Waste discharge and not a Thermal Waste discharge, the 86°F effluent limitation for temperature included in the Tentative Order is not appropriate.

Moreover, the Tentative Order concludes that the effluent demonstrates reasonable potential to exceed temperature objectives established in the Thermal Plan (and that WQBELs for temperature are required) based solely on the fact that the effluent is defined as an Elevated Temperature Waste. However, the temperature objectives established in the Thermal Plan do not apply to this discharge. Therefore, reasonable potential cannot be demonstrated – as there is no objective applicable for evaluating reasonable potential. Moreover, the City has completed extensive temperature studies and has demonstrated that the effluent has limited impacts on receiving water temperatures. Therefore, the City contends that the effluent does not demonstrate reasonable potential to exceed any water quality objective for temperature.

The City therefore contends that an effluent limitation for temperature is not appropriate and the 86°F effluent limitation for temperature and supporting information should be removed from the Tentative Order.

Effluent and Receiving Water Characterization Study

The City contends that there is no need to include a special study provision for the Effluent and Receiving Water Characterization Study in Section VI.C.2 of the Tentative Order. Thus, it is not necessary to include a duplicative requirement in the WDRs as well. Moreover, the requirement to submit a work plan describing the study is unnecessary. The monitoring requirements (including location, frequency, constituents to be monitored, reporting levels, sampling type, etc.) are included in the Monitoring and Reporting Program (Attachment E) and Attachment I. The City understands that the methods used for some of the priority pollutant analysis may need to be approved by the Central Valley Water Board if they are not described in 40 CFR Part 136. However, a requirement to submit the proposed analytical methods may be included in Attachment I. Accordingly, ***the City requests that Section VI.C.2.c be removed from the Tentative Order and all requirements related to priority pollutant monitoring be included in Attachment I.***

Regardless of whether the Effluent and Receiving Water Study requirements are removed from Section VI.C.2 of the Tentative Order, ***the City requests that the Tentative Order specifically allow for the Effluent and Receiving Water Study Final Report to be submitted with the City's next Report of Waste Discharge (ROWD).*** Because the data collected under the Effluent and Receiving Water Study would need to be submitted with the ROWD, having a separate reporting date for this data would result in duplicative, and unnecessary, efforts on the City's behalf.

Finally, the City requests that several additional clarifications be added to Attachment I. While these clarifications do not change the intent of the monitoring requirements, the City believes these clarifications will assist City staff in scoping the monitoring efforts while ensuring the monitoring meets the Regional Board's requirements. Clarifications regarding the following specific items are requested:

1. **Duplicate Monitoring:** The following constituents must be monitored as part of the Effluent and Receiving Water Study and as part of the City's routine monitoring and reporting program: chlorpryifos (annually), diazinon (annually), endrin (quarterly) and mercury (monthly). The City contends that data collected under the routine monitoring and reporting program will provide the Regional Board with adequate effluent data to evaluate effluent levels for these constituents, and additional monitoring under the Effluent and Receiving Water Study is not necessary. Therefore, ***the City requests that the description of the Effluent and Receiving Water Characterization Study requirements specifically exclude monitoring for any constituent where data is being collected as part of the routine monitoring program. At a minimum, the requirements in Attachment I should clarify that the City is not required to collect duplicate samples if monitoring is being conducted in accordance with the WDR's Monitoring and Reporting Program.***

2. **Dioxin and Furan Monitoring:** The Fact Sheet (pg. F 68) states: "*During the third or fourth year of this permit term, the Discharger is required to conduct monthly from September through April monitoring of the effluent at EFF-001 and of the receiving water at RSW-005 for all priority pollutants and other constituents of concern as described in Attachment I. Dioxin and furan sampling shall be performed <u>once a permit term</u>, as described in Attachment I.*" This statement would imply that only one dioxin and

furan monitoring event is required. However, Attachment I does not clearly specify the monitoring frequency for dioxin and furan compounds. Assuming the Regional Board's intent is to require dioxin and furan sampling only once, ***the City requests that clarification regarding the dioxin and furan monitoring frequency be provided in Attachment I.***

Moreover, if it is *not* the Regional Board's intent to limit dioxin and furan monitoring to once per permit term, the City contends that such a limitation is appropriate given the expense of such monitoring and the established effluent water quality with respect to these compounds.

Finally, the Fact Sheet (pg. F-68) implies that the dioxin monitoring performed in accordance Attachment I shall include the entire suite of dioxin and furan compounds identified in the Section 3 of the SIP. Similarly, the introductory paragraph of Attachment I states: "Section 3 of the SIP prescribes mandatory monitoring of dioxin congeners." However, the constituent list provided in Table I-1 only indicates monitoring for 2,3,7,8-TCDD (Dioxin). To ensure that City staff adequately understands the Regional Board's expectations, ***the City requests that additional details be provided regarding the specific dioxin and furan monitoring and reporting requirements.*** An approach similar to that used in the City of Tracy WDRs (Order R5-2012-0115), where a separate Attachment J was included to describe the dioxin and furan monitoring and reporting requirements, would be appropriate.

3. **Intermittent Discharge:** As the Regional Board is aware, surface water discharge from the WPCF occurs during the same period every year. A typical discharge season may last from September through April; however, in any given year, discharges may not occur during this time (particularly in September and April.) Moreover, Section VI.C.2.c states that monitoring shall be completed "for each month during the year that the discharge to Dredger Cut occurs." For clarity, ***Attachment I should be modified to indicate that monitoring is only required during periods of discharge and not for the entire September through April period.***

The following specific changes to the Tentative Order are needed to address the above-listed concerns:

Page 24, Provisions (VI), Effluent and Receiving Water Characterization Study (C.2.c)

If the Effluent and Receiving Water Characterization Study requirements are not removed completely, the following modifications are requested:

> ***4. Effluent and Receiving Water Characterization Study.*** *An effluent and receiving water monitoring study is required to ensure adequate information is available for the next permit renewal. During the third or fourth year of the permit term, the Discharger shall conduct monthly monitoring of the effluent at EFF-001 and of the receiving water at RSW-005 for each month during the year that the discharge to Dredger Cut occurs. The Discharger shall monitor for all priority pollutants and other constituents of concern as described in Attachment I. The report shall be completed in conformance with the following schedule:*

Task	*Compliance Date*
i. Submit Workplan and Time Schedule	*No later than 2 years 6 months from adoption of the permit*
ii. Begin Monitoring	*During the third or fourth year of the permit term*
iii. Submit Study Report	*6 months following completion of final monthly monitoring. The data may be provided with the Report of Waste Discharge that is submitted in accordance with this Order.*

Page E-5, Effluent Monitoring Requirements (IV), Table E-3. Effluent Monitoring – EFF-001, Footnote 7

7. Concurrent with receiving surface water sampling and conducted concurrently with upstream receiving water monitoring for hardness (as CaCO3) and pH. Sampling shall be monthly ~~from Sept-April~~ during periods of surface water discharge for 1 year. Sample that are non-detect after the first 2 samples do not need to be sampled for the remaining permit term.

Page E-9, Receiving Water Monitoring Requirements – Surface Water (IV), Table E-5. Receiving Water Monitoring Requirements, Footnote 5

5. Monitoring only required at RSW-005. Concurrent with effluent sampling. Sampling shall be monthly during periods of surface water discharge for 1 year. Sample that are non-detect after the first 2 samples do not need to be sampled for the remaining permit term.

Page F-68, Rationale for Monitoring and Reporting Requirements (VI), Effluent and Receiving Water Characterization Study (E.3)

An effluent and receiving water monitoring study is required to ensure adequate information is available for the next permit renewal. During the third or fourth year of this permit term, the Discharger is required to conduct monthly ~~from September through April~~ during periods of surface water discharge monitoring of the effluent at EFF-001 and of the receiving water at RSW-005 for all priority pollutants and other constituents of concern as described in Attachment I. Dioxin and furan sampling shall be performed once a permit term, as described in Attachment I and Attachment J.

Page I-1 and I-2, Effluent and Receiving Water Characterization Study (Attachment I)

I. Background. *Sections 2.4.1 through 2.4.4 of the SIP provide minimum standards for analyses and reporting. (Copies of the SIP may be obtained from the State Water Resources Control Board, or downloaded from http://www.waterboards.ca.gov/iswp/index.html). To implement the SIP, effluent and receiving water data are needed for all priority pollutants. Effluent and receiving water pH and hardness are required to evaluate the toxicity of certain priority pollutants (such as heavy metals) where the toxicity of the constituents varies with pH and/or hardness. Section 3 of the SIP prescribes mandatory monitoring of dioxin congeners. In addition to specific requirements of the SIP, the Central Valley Water Board is requiring the following monitoring:*

***A. Drinking water constituents**. Constituents for which drinking water Maximum Contaminant Levels (MCLs) have been prescribed in the California Code of Regulation are included in the Water Quality Control Plan, Fourth Edition, for the Sacramento and San Joaquin River Basins (Basin Plan). The Basin Plan defines virtually all surface waters within the Central Valley Region as having existing or potential beneficial uses for municipal and domestic supply. The Basin Plan further requires that, at a minimum, water designated for use as domestic or municipal supply shall not contain concentrations of chemical constituents in excess of the MCLs contained in the California Code of Regulations.*

***B. Effluent and receiving water temperature.** This is both a concern for application of certain temperature-sensitive constituents, such as fluoride, and for compliance with the Basin Plan's thermal discharge requirements.*

***C. Effluent and receiving water hardness and pH.** These are necessary because several of the CTR constituents are hardness and pH dependent.*

***D. Dioxin and furan sampling.** Section 3 of the SIP has specific requirements for the collection of samples for analysis of dioxin and furan congeners, which are detailed in Attachment J. Pursuant to Section 13267 of the California Water Code, this Order includes a requirement for the Discharger to submit monitoring data for the effluent and receiving water as described in Attachment J.*

II. Monitoring Requirements.

***A. Monthly Monitoring**. During the 3rd or 4th year of the permit term, samples shall be collected from the effluent and upstream receiving water (EFF-001 and RSW-005, respectively) and analyzed for the constituents listed in Table I-1. Sampling shall be monthly during periods of surface water discharge (typically ~~for the~~ from Sept-April) for 1 year. Samples that are non-detect after the first two sampling events do not need to be sampled for the remaining permit term. Results of the monitoring shall be submitted to the Central Valley Water Board within six months of the last monthly sampling event. Results may be provided with the City's Report of Waste Discharge that is submitted in accordance with this Order. Each individual monitoring event shall provide representative sample results for the effluent and upstream receiving water.*

***B. Once Per Permit Term Monitoring (dioxins and furans only).** During the 3rd or 4th year of the permit term, one monitoring event is required for dioxins and furans, as specified in Attachment J. The results of dioxin and furan monitoring shall be submitted to the Central Valley Water Board with the monitoring data discussed in subsection A, above. The monitoring event shall be conducted during a period of surface water discharge (typically Sept-April) and under dry weather flow conditions. The monitoring shall also provide representative sample results for the effluent and upstream receiving water.*

***~~B~~C. Concurrent Sampling.** Effluent and receiving water sampling shall be performed at approximately the same time, on the same date*

***~~C~~D. Sample type.** All effluent samples shall be taken as 24-hour flow proportioned composite samples, except for Volatile Organic Compounds and bis(2-ethylhexyl)phthalate. All receiving water samples shall be taken as grab samples.*

> ***E. Analytical Methods.*** *Within 2 years 6 months of permit adoption, the Discharger shall submit for approval a report outlining reporting levels (RLs), method detection limits, and analytical methods for all constituents to be monitored as part of the Effluent and Receiving Water Characterization Study.* [2]
>
> ***~~D~~F. Additional Monitoring/Reporting Requirements.*** *The Discharger shall conduct the monitoring and reporting in accordance with the General Monitoring Provisions and Reporting Requirements in Attachment E.*
>
> ***G. Duplicate Monitoring.*** *If routine monitoring completed in accordance with Attachment E includes a constituent listed in Table I-1, additional monitoring under the Effluent and Receiving Water Study is not required.*

Or as an alternate to Item G above:

> ***G. Duplicate Monitoring.*** *If routine monitoring completed in accordance with Attachment E includes a constituent listed in Table I-1, duplicate monitoring under the Effluent and Receiving Water Study is not required.*

Chlorpyrifos and Diazinon Monitoring Requirements

The Tentative Order requires either EPA analytical method 8141A or 625M be used for chlorpyrifos and diazinon monitoring. However, the City should also have the flexibility to choose any method that meets the 40 CFR 136 requirements as long as the method can provide a RL that is less than the applicable criterion. For these reasons, ***the City requests the following specific changes to the Tentative Order:***

Page F-67, Rationale for Monitoring and Reporting Requirements (VI) Chlorpyrifos and Diazinon (B.6)

> ***6. Chlorpyrifos and Diazinon.*** *This Order requires that pollutants be analyzed using the analytical methods described in 40 CFR Part 136 or an EPA approved Alternate Testing Procedure. However, where no methods are specified for a given pollutant that meets a specific reporting limit or method performance standard, an alternate method can be approved by the Central Valley Water Board. This Order requires either EPA 8141A or EPA 625M for chlorpyrifos and diazinon, or other methods approved under 40 CFR 136 that have RLs below the chlorpyrifos and diazinon water quality objectives. These alternate analytical methods are necessary to determine compliance with the effluent limits for these constituents. Basin Plan water quality objectives for chlorpyrifos and diazinon are 0.015 µg/L and 0.1 µg/L, respectively (as a 4-day average. See Attachment F, Section IV.C.3.b.i.(a) for more information). Therefore, chlorpyrifos and diazinon must be analyzed using analytical methods that have a lower MDL than the Basin Plan water quality objectives.*

[2] Note that this addition is included as an alternate to the Work Plan requirement outlined in Section VI.C.2.c. Should this section not be removed from the Order as requested by the City, Item E would not be a necessary addition to Attachment I.

FACTUAL CHANGES

Waste Discharge Requirements

Page 30, Provisions (VI), Compliance Schedules for Final Effluent Limitations for Methylmercury (C.7.a)

The internal references in this section are in error and should be modified as follows:

Task	*Date Due*
Phase 1	
…	…
ii. Update and Implement Pollution Prevention Plan (PPP)[1] for Mercury	**1 December 2013**
…	…
v. Implement Mercury Exposure Reduction Work Plan (per Section ~~VI.C.3.b~~ VI.C.3.a)	***6 months following Executive Officer Approval***
…	…

[1] The PPP for Mercury shall be updated and implemented in accordance with CWC section 13263.3(d)(3)~~Section VI.C.3.a~~. The Discharger shall continue to implement its existing PPP for mercury during the period in which it updates the PPP. If the existing PPP submitted by the Discharger in April 2012 is adequate, a new PPP is not necessary. A letter indicating the existing is PPP is adequate is only necessary.

Monitoring and Reporting Program

Page E-14, Reporting Requirements (X), Temperature Receiving Water Limitations (B.6.f)

The Tentative Order indicates compliance with the Receiving Water Limitations for Temperature at RSW-005 in the Monitoring and Reporting Program (Attachment E). However, the Receiving Water Limitations section (pg. 13), Item V.A.16 indicates instantaneous temperature limitations at RSW-001. Therefore, Section X.B.6.f of Attachment E should be revised as follows:

> ***f. Temperature Receiving Water Limitations.*** *Compliance with the Receiving Water Limitations shall be determined at RSW-001~~005~~.*

Page E-16, Reporting Requirements (X), Other Reports (D.3)

> ***3.*** *Within 60 days of permit adoption, the Discharger shall submit for approval a report outlining reporting levels (RLs), method detection limits, and analytical methods for ~~approval~~ all constituents included in this Monitoring and Reporting Program with the exception of Priority Pollutants that are only monitored in accordance with Attachment I. For all Priority Pollutant monitoring, the Discharger shall comply with the monitoring and reporting requirements for CTR constituents as outlined in section 2.3 and 2.4 of the SIP. The maximum required reporting levels for priority pollutant constituents shall be based on the Minimum Levels (MLs) contained in Appendix 4 of the SIP, determined in accordance with Section 2.4.2 and Section 2.4.3 of the SIP. In accordance with Section 2.4.2 of the SIP, when there is more than one ML value for a given substance, the Central Valley Water Board shall include as RLs, in the permit, all ML values, and their associated analytical methods, listed in Appendix 4 that are below the calculated effluent limitation. The Discharger may select any one of those*

cited analytical methods for compliance determination. If no ML value is below the effluent limitation, then the Central Valley Water Board shall select as the RL, the lowest ML value, and its associated analytical method, listed in Appendix 4 for inclusion in the permit. Table I-1 (Attachment I) provides required maximum reporting levels in accordance with the SIP.

Fact Sheet

Page F-4, Facility Description (II), Description of Wastewater and Biosolids Treatment or Controls (A)

The WPCF design flow is 8.5 million gallons per day (mgd) based on an average dry weather flow. Therefore, the design flow in not correctly characterized on page F-4 of the fact sheet, and should be modified as follows:

A. Description of Wastewater and Biosolids Treatment or Controls

The Facility's design ~~daily~~ average dry weather flow capacity is 8.5 mgd with average annual flows for 2011 at 5.3 mgd...

Page F-79, Rationale for Provisions (VII), Compliance Schedules (B.7.b)

This section of the Fact Sheet appears to be an error. A pollution prevention plan is not required for salinity. Moreover, the discussion under this item is not relevant to any of the compliance schedules identified in the Tentative Order. Therefore, it appears that this entire section should be deleted.

MINOR EDITORIAL COMMENTS

Waste Discharge Requirements

Page 3, Findings (II) Facility Description (B)

B. Facility Description. *The Discharger owns and operates a municipal wastewater collection system and an industrial wastewater collection system. The Facility's wastewater treatment system consists of a head works with influent screens, mechanical grit removal, primary sedimentation, conventional activated sludge with nitrification and denitrification, secondary sedimentation, tertiary treatment using cloth media filtration, and ultraviolet light pathogen deactivation (UV Disinfection).*

Page 21, Provisions (VI), Reopener Provisions (C.1.d)

d. Pollution Prevention. *This Order requires the Discharger to prepare a pollution prevention plans following Water Code section 13263.3(d)(3) for mercury. Based on a review of the pollution prevention plans, this Order may be reopened for addition and/or modification of effluent limitations and requirements for these constituents.*

Page 33, Compliance Determination (VII), Total Coliform Organisms Effluent Limitations (D)

> ***D. Total Coliform Organisms Effluent Limitations (Section IV.A.1.f).*** *For each day that an effluent sample is collected and analyzed for total coliform organisms, the 7-day median shall be determined by calculating the median concentration of total coliform bacteria in the effluent utilizing the bacteriological results of the last 7 days. For example, if a sample is collected on a Wednesday, the result from that sampling event and all results from the previous 6 days (i.e., Tuesday, Monday, Sunday, Saturday, Friday, and Thursday) are used to calculate the 7-day median. If the 7-day median of total coliform organisms exceeds a most probable number (MPN) of 2.2~~3~~ per 100 milliliters, the Discharger will be considered out of compliance.*

Monitoring and Reporting Program (Attachment E)

Pages E-4 and E-5, Effluent Monitoring Requirements (IV), Table E-3

Table E-3. Effluent Monitoring - EFF-001

Parameter	*Units*	*Sample Type*	*Minimum Sampling Frequency*	*Required Analytical Test Method*
…	…	…	…	…
Total Coliform Organisms	*MPN/ 100 mL*	*Grab*	*1/Day*[13]	*1*
Total Dissolved Solids	*mg/L*	*24-hr Composite* [2]	*1/Month*	*1*
Priority Pollutants and Other Constituents of Concern	*µg/L*	*See Att I*	*See Att I*[1,5,,6,7,10,11, 14]	*1, 5*
Whole Effluent Toxicity (see Section V. below)	--	--	--	--

…

~~14~~[13] *Samples for Total coliform organisms may be collected at any point following disinfection.*

[14] *Sampling and analysis of Bis (2-ethylhexyl) phthalate shall be conducted using ultra-clean techniques that minimize the possibility of sample contamination.*

Page E-7, Whole Effluent Toxicity Testing Requirements (V), Test Failure (B.8.b)

> *b. The percent minimum significant difference (PMSD) measured for the test exceeds the upper PMSD bound variability criterion in Table 6 on page 52 of the Method Manual. (A retest is only required in this case if the test results do not exceed the monitoring trigger specified in the Special Provision at section VI.C.2.a.ii. of the Order.)*

Page E-14, Reporting Requirements (X), Total Coliform Effluent Limitations (B.6.d)

> ***d. Total Coliform Organisms Effluent Limitations.*** *The Discharger shall calculate and report the 7-day median of total coliform organisms for the effluent. The 7-day median of total coliform organisms shall be calculated as specified in Section VII.~~C~~D. of the Limitations and Discharge Requirements.*

Page E-14, Reporting Requirements (X), Total Mercury Mass Loading Interim Effluent Limitations (B.6.g.2)

> *2. In calculating~~on~~ compliance, the Discharger…*

Fact Sheet (Attachment F)

Page F-5, Facility Description (II) Discharge Points and Receiving Waters (B.2)

> **2.** *During the non-growing season (generally late November through mid-April), the Facility discharges tertiary treated municipal wastewater at Discharge Point 001, located 1.5 miles southwest of the Facility at Dredger Cut, a water of the United States near the confluence of Bishop Cut and White Slough at a point latitude 38°, 5', 35" N and longitude 121°, 22', 48" W ~~Dredger Cut~~. Dredger Cut is a dead-end slough that does not receive upstream~~up stream~~ flow except for stormwater or agricultural runoff from the surrounding area.*

Page F-7, Applicable Plans, Policies, and Regulations (III), State Implementation Plan (C.3)

> **3. State Implementation Policy (SIP).** *This Order implements the SIP as specified in the Finding contained at section II.~~I~~J of this Order.*

Page F-9, Applicable Plans, Policies, and Regulations (III Total Maximum Daily Loads (TMDLs) (D.2)

> ~~**3.**~~ *The 303(d) listings and TMDLs have been considered in the development of the Order. A pollutant-by-pollutant evaluation of each pollutant of concern is described in section IV~~VI~~.C.3. of this Fact Sheet.*

Page F-12, Rationale for Effluent Limitations and Discharge Specifications (IV), BOD5 and TSS (B.2.a)

> [Last sentence on page] *…described in 40 CFR Part 133. (See section IV.C.3.~~d~~c of this Attachment for the discussion on Pathogens which includes WQBELs for BOD5 and TSS.)*

Pages F-28 – F-50, Rationale for Effluent Limitations and Discharge Specifications (IV), Constituents with No Reasonable Potential (C.3.b) and Constituents with Reasonable Potential (C.3.c)

The numbering on the sub-listed items is not in order. For example, IV.C.3.b.v is repeated twice.

Pages F-56, Rationale for Effluent Limitations and Discharge Specifications (IV), Averaging Periods for Effluent Limitations (D.1)

> *Mass-based effluent limitations were calculated based upon the design flow (Average Dry Weather Flow) permitted in section IV.A.1.g~~m~~. of this Order.*

Pages F-58, Rationale for Effluent Limitations and Discharge Specifications (IV), CWA section 402(o)(1) and 303(d)(4) (D.3.a.i)

> **i.** *For waters where standards are not attained, CWA section 304(d)(4)(A) specifies that any effluent limit based on a TMDL or other WLA may be revised only if the cumulative effect of all such revised effluent limits based on such TMDLs or WLAs will assure the attainment of such water quality standards. The 303(d) listings applicable to Dredger Cut~~the Old River~~, as described in section III.D.1 of this Fact Sheet, include dissolved oxygen and group A pesticides...*

Pages F-60, Rationale for Effluent Limitations and Discharge Specifications (IV), Stringency of Requirements for Individual Pollutants (D.5)

> *This Order contains pollutant restrictions that are more stringent than applicable federal requirements and standards. Specifically, this Order includes tertiary effluent limitations for BOD5, TSS and total coliform organisms that are more stringent than applicable federal standards, but that are nonetheless necessary to meet numeric objectives or protect beneficial uses. The rationale for including these limitations is explained in section IV.C.3.~~d~~c of this Fact Sheet.*

Pages F-67, Rationale for Monitoring and Reporting Requirements (VI), Chlorpyrifos and Diazinon (B.6)

> ***6. Chlorpyrifos and Diazinon.*** *This Order requires …Basin Plan water quality objectives for chlorpyrifos and diazinon are 0.015 µg/L and 0.1 µg/L, respectively (as a 4-day average. See Attachment F, Section IV.C.3.c.ii.(a)~~b.i.(a)~~ for more information)…*

Pages F-69, Rationale for Provisions (VII), Pollution Prevention (B.1.b)

> ***b. Pollution Prevention.*** *This Order requires the Discharger prepare pollution prevention plans following Water Code section 13263.3(d)(3) for mercury~~salinity~~. This reopener provision allows the Central Valley Water Board to reopen this Order for addition and/or modification of effluent limitations and requirements for these constituents based on a review of the pollution prevention plans.*

Page F-75, Rationale for Provisions (VII), Water Code Section 13263.3(d)(3) Pollution Prevention Plans (B.3.c)

> ***c. Water Code Section 13263.3(d)(3) Pollution Prevention Plans.*** *A pollution prevention plan for mercury is required in this Order per Water Code section 13263.3(d)(1)(C). The pollution prevention plan~~s~~ required ~~in section~~ in section VI.C.7.a ~~and b.~~ of this Order, shall, at a minimum, meet the requirements outlined in Water Code section 13263.3(d)(3). The minimum requirements for the pollution prevention plan~~s~~ include the following:*

Effluent and Receiving Water Characterization Study (Attachment I)

Attachment I requires repagination. In the Tentative Order, all pages share the same page number (I-1).