



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

April 29, 2014

James Marshall  
Senior Water Resources Control Engineer  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

Re: Draft Tentative Order/NPDES Permits for the City of Stockton - Wastewater Treatment Plant (NPDES Permit No. CA0079138) and Town of Discovery Bay – Wastewater Treatment Plant (NPDES Permit No. CA0078590)

Dear Mr. Marshall:

Thank you for the opportunity to review and comment on two tentative order/draft permits – City of Stockton Wastewater Treatment Plant (NPDES Permit No. CA0079138) discharges to San Joaquin River and Town of Discovery Bay Wastewater Treatment Plant (NPDES Permit No. CA0078590) discharges to Old Creek, which were dated March 26, 2014. We are providing comments on the proposed final limits for nitrate and ammonia for both permits. We are also providing two concerns specifically related to the Stockton permit.

Final Effluent limits for nitrate and ammonia

We recommend the permits include final limits for nitrate-nitrogen at 10 mg/L (based on monthly average) assuming such limits are demonstrated to be consistent with wasteload allocation in the Stockton Deep Water Ship Channel TMDL. (See discussion further below). We note this value is consistent with the final limit included in the Sacramento Regional Sanitation District's permit. While we support this value, we also recognize it has yet to be determined if that value is sufficiently protective for all applicable beneficial uses within the Delta. That is, scientific studies are currently evaluating the potential adverse effects of various nitrogen species (nitrate, nitrite, ammonia, etc.) on aquatic organisms within the Delta and the outcome of these studies may demonstrate that lower effluent nitrogen levels are required in the future. Given this uncertainty about nutrient impairments and necessary control levels, the final permit should not include the Regional Board's alternative nitrate limit option which provide for higher nitrate effluent limits (based on dilution) in each permit.

We are pleased the Regional Board is implementing EPA's updated (2013) ammonia criteria and we support the proposed effluent limits for ammonia discharges from these two facilities. These are appropriately issued both as maximum daily and average monthly limits to address acute and chronic affects, respectively.

Consistency of Stockton permit with approved TMDL

Per federal regulations at 40 FR 122.4(d), the final permit must contain effluent limits that are consistent with the wasteload allocations and assumptions contained within the Stockton Deep Water Ship Channel dissolved oxygen (DO) TMDL that EPA approved on February 27, 2007. For example, the proposed Stockton permit has removed effluent limits for DO; this appears inconsistent with the TMDL and should be reinstated in the permit unless it can be demonstrated the nitrate limit will result in attainment of the DO wasteload allocation. Also, we recommend the factsheet include discussion of this DO TMDL as well as staff analyses of the facility's discharge of DO levels and oxygen demanding substances or their precursors so as to implement the wasteload allocation(s) and attain DO levels in the receiving waters.

Monitoring Requirements for Stockton permit

Please modify the proposed Stockton permit to include a monitoring site at the edge of the mixing zone within the receiving waters. The proposed permit contains several receiving water monitoring locations, including one 8.0 miles south of discharge point 001. However, since the receiving water is affected by tidal influences, it is unclear whether these monitoring locations correspond to the edge of the mixing zone. We also encourage the effluent be monitored for total nitrogen.

We support issuance of final permits that incorporate these revisions. If you have questions, please contact me at (415) 972-3464 or Peter Kozelka at (415) 972-3448.

Sincerely,

A handwritten signature in black ink, appearing to read "David Smith". The signature is fluid and cursive, with a large initial "D" and "S".

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