



Sierra Pacific Industries

3735 El Cajon Ave. • Shasta Lake, California 96019 • (530) 275-8851

February 24, 2016

Ms. Stacy Gotham
California Regional Water Quality Control Board
364 Knollcrest Drive, Suite 205
Redding, CA 96002

**Subject: Sierra Pacific Industries – Shasta Lake Division
Comments on Tentative Order/NPDES Permit CA0081400**

Dear Ms. Gotham:

This letter provides Sierra Pacific Industries' (SPI) comments on the above referenced order. SPI appreciates the opportunity to comment on the tentative order and the Water Board's consideration of our comments in drafting a final order.

Comments on the Tentative Order

III. Discharge Prohibitions

Suggest the following change in language in paragraph A.: "Discharge of wastewater from the Facility in a manner different from that described in this Order is prohibited." This added language is unnecessary and could restrict future planned changes (see SPI's letter, dated February 4, 2016) that are consistent with the Order and may not be exactly consistent with the details described in the Fact Sheet.

Suggest deleting paragraph E because the former Discharge Point 001 no longer exists.

VI.C.1. Reopener Provisions

SPI requests that a reopener provision be added that would allow modification of the permit upon demonstration by SPI that all process water discharges have been eliminated. SPI is currently evaluating means to confine the discharge to exclusively stormwater and could have modifications completed early in the permit term that would render some of the current effluent limitations inapplicable.

VI.C.2.b. Groundwater Monitoring Well Network Installation and Characterization

The schedule for deliverables should be changed to tie the deliverable due dates to Water Board approvals and not the effective date of the Order. Alternatively, include provisions for modifying the schedule if necessary. For example, the recent NPDES permit for SPI Burney contains similar requirements and timeframes. In the case of Burney, the Work Plan was submitted within 6 months of adoption of the Order as required. It is not certain when that Work Plan might be approved, but the Order appropriately allows for 12 months to install wells after the approval of the Work Plan, then requires 2 years of monitoring, followed by several technical reports with a due date of 42 months after the effective date of the Order. At this time, 42 months is not enough time to perform the required tasks for SPI Burney because the Work Plan is not yet approved. Please modify the due dates for Shasta Lake to allow for 24 months of monitoring after all the wells are installed, and technical reports to be due 6 months after the end of the 24 month monitoring period.

Please considering removing the requirement to prepare a work plan for the required technical report in VI.C.2.b. The requirements for the technical report are clear in the permit and a work plan for writing the

report is unnecessary. Moreover, the work plan is required over 3 years in advance of the technical report due date prior to monitoring. We do not object to providing a work plan for the well installation within 6 months of the effective date.

VI.C.3.a. Salinity Evaluation and Minimization Plan

As noted in SPI's letter to you dated August 27, 2015, a Salinity Evaluation and Minimization Plan was in process. The Plan has been completed and is being implemented. Accordingly, please delete the first two sentences of Condition VI.C.3.a.

VI.C.6.b. Municipal Recycled Water Use

The condition contains requirements that are impossible for SPI to assure compliance and are not the responsibility of SPI. Specifically, the condition requires a determination from the State Water Board Division of Drinking Water that the use of recycled water complies with the requirements of Title 22, Division 4, Chapter 3. SPI does not object to providing a statement that SPI's use of the recycled water is compliant; however, we cannot provide assurance that the provider of the recycled water has met all requirements of Chapter 3. The specific provisions of Chapter 3 for which SPI is responsible are at §60310 which sets forth requirements for the use area. The permit already specifies the use, which is consistent with §60307. SPI is not a provider of recycled water, nor does SPI provide any treatment or monitoring of the water prior to use. SPI, in cooperation with the City of Shasta Lake, have helped conserve the State's valuable water resources through recycling for decades. The City has maintained that the water meets the requirements of Title 22, Chapter 3 and provides monitoring to the State under separate permit to demonstrate compliance. The Water Board regulates the City and is responsible for oversight of the treatment plant and recycled water use. Order No. R5-2014-0052 requires that the City's recycled water be in compliance with Chapter 3, Division 4, Title 22. SPI is not in a position to enforce Order No. R5-2014-0052 or certify compliance with that Order. The inclusion of the City of Shasta Lake's compliance requirements in SPI's permit is inappropriate and we respectfully request that the condition be modified such that SPI is only responsible for certifying compliance with 22 CCR §60310.

VII.B Dissolved Oxygen

Dissolved oxygen monitoring of the receiving water has been added to the Order. The Order already contains a prohibition on discharging any pond water at less than 10:1 ratio of receiving water to pond water. This requirement is more than sufficient to ensure that the discharge will comply with the dissolved oxygen criteria in the receiving water and the additional monitoring is not warranted. There is no reasonable potential to exceed dissolved oxygen standards in the receiving water based on the nature of the discharge and the receiving water and the requirement to maintain not less than 10:1 dilution of the discharge.

Monitoring and Reporting Program

1.D Flow Meter Calibration

This condition requires that all flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices. In the event that there is no discharge from the facility during the year, it may not be possible to calibrate the flow meter without removing it or creating a discharge. Since the frequency of discharge is low, and there are means to check the flow against pond discharge calculations based on precipitation and freeboard, SPI requests that the requirement be changed to include yearly inspection of the flow meter as opposed to calibration.

Table E-2 Effluent Monitoring

Footnote 1 requires increased monitoring if the discharge is intermittent rather than continuous. There is no rationale provided or apparent for this increased monitoring and we request that it be deleted. There is far less potential for water quality variations from an intermittent pond discharge than there would be from a continuous discharge. This requirement will only act to encourage the discharge to be continuous

over the sampling interval as opposed to intermittent so long as the 10:1 ratio can be maintained. This would be in direct conflict with SPI's goals to minimize the discharge of water from the retention pond. The added requirement is significant. As written, the entire suite of monitoring parameters could be required twice in the same week, and adding that the receiving water monitoring table contains a footnote that samples shall be collected when discharge sampling is conducted, the entire suite of receiving water parameters could also be required.

Table E-4 Land Discharge Requirements

The Water Board has added a rigorous pond monitoring program where previously only freeboard monitoring was required. The new monitoring program requires monthly and quarterly sampling for 11 parameters from the ponds. Since discharge from the recycle pond is prohibited, and any discharges to surface water from the retention pond are extensively monitored, we can only assume the additional monitoring requirements are motivated by concerns regarding impacts to groundwater quality. However, in addition to adding an extensive pond monitoring program, the draft permit also adds requirements for installing a groundwater monitoring network, preparing a full characterization of groundwater, preparing several study reports, and conducting ongoing groundwater monitoring. Any concerns over groundwater quality will be adequately addressed by the actual groundwater monitoring required, and if any pollutants of concern are identified, pond monitoring for those parameters may be appropriate. We request that pond monitoring be deferred until after the groundwater characterization has been completed, or minimally that the monitoring frequency for quarterly parameters be reduced to annual and monthly to quarterly. Additionally, please note that monitoring the retention pond during dry periods may not be safe if water levels recede below established access points. A provision should be added that does not require monitoring during low pond levels.

Table E-5 and E-6 Receiving Water Monitoring

Please clarify the meaning of "when applicable" in Footnote 1 to Tables E-5 and E-6.

Please delete footnote 4 to Table E-5. This appears to be aimed at providing harness data for the receiving water, perhaps in support of future permitting. SPI will gladly assist in getting harness data for the receiving water during the term of the permit, but we do not believe this requirement belongs in the permit and could be of limited effectiveness by confining monitoring to the 4th year of the permit.

Please remove dissolved oxygen monitoring from both tables per above comment under VII.B.

Table E-9 Ash Monitoring Requirements

Typographical error, should be Ash "Liming" Capacity

VIII.D. Effluent and Receiving Water Characterization

This condition requires that monitoring shall be conducted during the first two discharge events that occur after the effective date of this Order. This does not make sense given that the second discharge could occur in close proximity in time to the first discharge. Suggest adding that the two sampling events be at least two years apart.

This condition additionally requires that the Discharger shall conduct upstream receiving water sampling prior to filing a ROWD for permit renewal purposes, even if there has been no discharge. There has never been any indication that priority pollutants are a concern in the receiving water. A full priority pollutant scan was run in January 2016 which should be sufficient academic information on the receiving water quality for purposes of permit renewal. If there is a discharge, additional sampling would supplement the January 2016 data.

Table E-10 Effluent and Receiving Water Characterization Monitoring

Table E-10 contains a list of 187 parameters for characterization. The list grows with each permit renewal with no explanation or justification provided for the additional monitoring parameters added or for keeping parameters from the last permit that have no potential to be contained in the effluent and have

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been consistently non-detect. SPI requests that the added parameters, e.g. BOD5, Resin & Fatty Acids, be removed or explained and that the Water Board consider reducing monitoring requirements to once during the permit term for Table E-10 parameters that have never been detected and retain twice per permit term for only those that have been detected during past monitoring.

Please feel free to contact me at (530) 275-8851 if you have any questions regarding the above.

Sincerely,
Sierra Pacific Industries



John Phillips
Division Manager – Shasta Lake

c: Shane Young
Julie Gwin
Tony Jaegel