



Roy O'Connor
NCRWQCB
5550 Skylane Blvd Suite A
Santa Rosa CA 95403

October 22, 2012

RE: Draft Permit & Cease and Desist Order

Dear Mr. O'Connor

I thank you for your time on October 17 and for the tone of the meeting. It is encouraging to know that you are very concerned about our discharge and your duty, but also, reality can play a role in our discussions.

Per our discussions we have the following comments:

We feel the language in the C&D order is stronger than need be. While we understand that action needs to be taken, we want the Board to understand that we are not an outlaw District that doesn't adhere to our permits as they are written. We have kept the staff advised and asked for assistance on many occasions over the last 10 years. In section A.6 of page 3 of our permit it says we may NOT discharge waste to land that is not owned or controlled by the "District". We agree that doesn't specifically say that we can dispose of treated effluent, but, we advised staff that we would be watering trees that we planted as part of an environmental mitigation measure and we were told that would be fine. We then planted some grass seed and also showed this to staff and were told in writing "...this would be a good use of treated water"

We do agree the original intent was to dispose of our treated waste was (is) perk ponds and what we are and have been doing is in a grey area and may not be in 100% in the spirit of the permit. That is why I asked for assistance all those many years ago.

DRAFT PERMIT

Our comments on the draft permit are few considering the volume of the document as compared to the current permit.

Section VI:

We only allow companies (currently 3) that are licensed and permitted by Trinity County Health Dept to deposit waste out our plant. We can agree that under normal conditions dumping during business hours is best. We have had 3 major fires during the last 10 years and during those times the US. Forest Service and CDF have set up fire camps that may have as many as 1000 fire fighters and support staff. We have allowed the dumping to occur around the clock from these camps and would like to have the ability to continue that.

We feel that in section VI 3. It would be more appropriate to have verbiage to the effect “that septage will only be accepted under the supervision of District Staff.

Attachment C Section III Table C-2

After start –up of the plant the flow meter for the effluent of the plant was moved to the control structure of the secondary pond-Prior to the wetland cells.

For monitoring of BOD and SS we have been collection samples from the effluent of the wetland cell #2. This would be prior to disposal into the perk ponds.

Attachment D section C

The last sentence, again we would like to see softer language as we do not feel as though we have violated our discharge permit, but do understand why a C& D order is being sent.

Sincerely Yours,

Original signed by

Craig J. Hair, Jr.
District Manager