



PUBLIC WORKS DEPARTMENT

Engineering Division

January 13, 2009

Mr. Ken Landau
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

**Subject: Comments on Revised Tentative Order and Cease and Desist Order
City of Grass Valley, NPDES Permit No. CA 0079898**

Dear Mr. Landau,

These comments are submitted in response to your letter dated December 15, 2008 pertaining to the revised Tentative Order for the City of Grass Valley's NPDES permit and the accompanying revised Cease and Desist Order (CDO).

In a letter dated October 24, 2008, the City provided comments on the initial proposed Tentative Order and CDO. In that letter, the City requested, in part, that the Regional Board make changes to the proposed permit to address several changes with regards to the effluent limits for copper and zinc. The proposed revised Tentative Order and CDO are responsive to that request.

The City has the following specific comments pertaining to the revised Tentative Order and CDO and requests that the Regional Board make modifications to address these comments, as appropriate.

Comments on Revised Tentative Order and CDO

Effluent Limits for Copper and Zinc

In its October 2008 comments, the City requested that site-specific translator values for copper, lead and zinc and site-specific Water-Effect Ratio (WER) values for copper and zinc be used in determination of the need for effluent limits for these metals. The revised permit addresses this request and is supported by the City as it will avoid significant and unwarranted compliance problems for the City and will be protective of beneficial uses in Wolf Creek.

Effluent limits for EC

The City requests that the proposed effluent limits for EC be expressed as interim rather than final limits, consistent with the permitting approach used in other NPDES permits in the region. The adoption of interim limits is appropriate since the City's existing effluent quality does not trigger reasonable potential based on the most restrictive EC criterion used by the Regional Water Board (700 umhos/cm). The City requests that the language on page 10 of the Tentative Order and on page F-38 be modified to state that the proposed EC limit is an interim limit.

Effluent Limit for pH

The City notes that the instantaneous effluent limit for pH shown in Table F-9, page F-33 of the Fact Sheet should be 8.0 rather than 8.5 and requests that this change be made.

Reopener Language

The City requests that the existing text on page 18 in the Special Provisions section (C.1.e) of the Tentative Order regarding WER and translator values and on page F-45 of the Fact Sheet be eliminated since this issue has been addressed in the revised order. The City also requests that substitute text be inserted to replace the eliminated text for a general re-opener to allow, for example, effluent limits for trihalomethanes (THMs) to be modified to take into account the harmonic mean dilution that exists in Wolf Creek. This request is consistent with previous City comments provided in its letter dated October 24, 2008 and is consistent with the response to those comments provided by the Regional Board.

Facility Contact

The City requests that Table 4 on page 1 of the Tentative Order be revised to substitute Norm Benton, Treatment Plant Operator, for Rick Beckley as the Facility Contact. The City requests that this change also be made in other appropriate locations in the NPDES permit, Fact Sheet and Cease and Desist Order and associated documentation.

Public Hearing Date

The City notes that, on page F-50 of the Fact Sheet, the reference to the public hearing for the permit adoption refers to the December 4/5, 2008 hearing that was previously held. The Fact Sheet language should refer to a future hearing date.

Thank you in advance for your careful consideration of the information provided in this letter.

Sincerely,

CITY OF GRASS VALLEY

Public Works Department



Timothy M. Kiser, PE

Public Works Director/ City Engineer

c: Tom Grovhoug, Larry Walker Associates
Mike Healy, Public Works Assistant Director, Operations