

TEJON-CASTAC WATER DISTRICT

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May 27, 2011

**VIA US MAIL, FAX ((559) 445-5910), and
EMAIL (dsoria@waterboards.ca.gov)**

W. Dale Harvey, P.E.
California Regional Water Quality
Control Board
1685 E Street
Fresno, California 93706

**RE: COMMENTS OF TEJON-CASTAC WATER DISTRICT TO
TENTATIVE WASTE DISCHARGE REQUIREMENTS ORDER
NO. R5-2011-_____ FOR TEJON-CASTAC WATER DISTRICT
TEJON INDUSTRIAL COMPLEX NEW EAST WASTEWATER
TREATMENT FACILITY**

Dear Mr. Harvey:

The following submission shall constitute the preliminary comments of the Tejon-Castac Water District (the "District") to the tentative Waste Discharge Requirements Order No. R5-2011-_____ For Tejon-Castac Water District Tejon Industrial Complex New East Wastewater Treatment Facility (the "tentative").

From the outset, the District would like to sincerely thank the Regional Board staff and in particular Dale Harvey, Doug Patteson, Lonnie Wass and Denise Soria for their assistance in this matter.

On a house keeping note, please be aware that the Tejon Industrial Complex has been renamed Tejon Ranch Commerce Center (TRCC), we therefore request that all references to the "Tejon Industrial Complex" be replaced with "Tejon Ranch Commerce Center.

As background, it should be noted that the District has been diligently working with RWQCB over the last couple of years to develop and construct a facility specifically tailored to meet the unique challenges presented by the waste stream characteristics¹ generated at this Interstate stopping center, while also meeting the EC discharge limits of 2,000 µmhos/cm as allowed for the White Wolf Subarea. This effort was engaged upon under the guidance of RWQCB staff, who specifically indicated that the 2,000 µmhos/cm was the proper EC level, when non-basin source water is used. The District followed this guidance and it agreed to develop a salinity management plan that assured all current and future tenants shall be required to implement the best management practices available in order to further insure salinity management.

Turning now to the substance of the tentative, the District would like to express that it is troubled by the analysis set forth in the tentative. In particular, the District would like to note that the tentative acknowledges that the Tulare Lake Basin Plan sets forth a requirement in White Wolf Subarea that discharges to land in the areas overlying Class II or poorer groundwater shall not exceed an EC of 2,000 µmhos/cm.² The tentative also acknowledges that the discharge area in question overlies these Class II lands and that the District's well water sources are considered Class II for EC purposes. Importantly, these well sources are the only District sources of water in question that are native to the Tulare Lake Basin and therefore it should follow that the District's discharge limit for EC in the White Wolf Subarea should be the cited 2,000 µmhos/cm, when using non-basin water sources. Unfortunately, the tentative does not properly factor in the non-basin water into its analysis and it does not provide any comment or analysis on this subject.

The tentative's failure to properly recognize the benefit derived from the use of non-basin water at this late date in effect penalizes the District, and those located in the White Wolf Subarea. The District's use of higher quality source water from outside the Tulare Lake Basin results in the production of effluent that is lower in EC than the underlying White Wolf Subarea.

¹ The make-up of dischargers at this location are almost entirely restaurants, which by their very nature typically have a high EC waste discharge. To further aggravate the issue, TRCC is in large part an Interstate shopping center, which the traveling public naturally uses to stop for (1) food and (2) restrooms facilities. Without the benefit of residences that are typically very low in ECs, the District is at a disadvantage over other providers as it does not have these low EC residences to dilute the higher EC restaurants.

TRCC provides a much needed benefit to the state in the jobs that exist today (1000+) and the anticipated future jobs (6000+). Compliance with a performance based EC level will have a negative impact and slowing effect on TRCC's ability to create an environment where businesses can come open shop and employ residence of Kern County and the State of California.

² Please note that this limit is consistent with TRCC WEST WWTF (WDR Order R5-2008-0004). Additionally, it should be pointed out that the District sometimes diverts waste water from the West Side to the East Side for treatment and recycling purposes.

More specifically, the District has spent considerable sums building and planning its treatment facilities in a manner which relies on these lower source water ECs as part of the treatment process. The end result of the treatment process is a discharge of additional non-basin water supplies to the White Wolf Subarea that are actually lower in EC than the natural ground water in the Subarea. Simply put, it is fairly apparent that the discharge to the White Wolf Subarea is a benefit to the Subarea and the Tulare Lake Basin as a whole because the discharged water is of a higher quantity and quality than is naturally found within the Subarea.

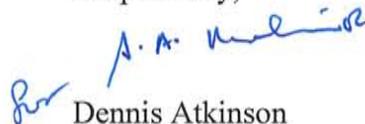
Importantly, it should also be understood that the EC of this discharge is also lower than the legally permissible EC if the District were to abandon its current program and solely rely on the ground water from the White Wolf Subarea, as it is legally permitted and capable of doing. Additionally, it should be understood that if the tentative is adopted as currently written there is a likelihood that the District may abandon its current program as the cost benefit analysis of that program may no longer support it.

Given the above, it does not legally or logically follow that the District should be required to meet a lower EC than that of the White Wolf Subarea on which the discharge will actually occur, when the source is non-basin water. Even if one was to assume for the sake of argument that the EC analysis in the tentative was legally sufficient, the District appears to have ample grounds to support an estoppel argument.

We therefore respectfully ask that you reconsider your tentative in light of these comments and those particularly set forth in the redline comments to the tentative attached hereto. More specifically, we respectfully ask that you reconsider and adopt EC discharge limits of 2,000 $\mu\text{mhos/cm}$ (except in emergency situations), when non-basin source water is used.

If you have any questions or concerns please feel free to contact Babs Makinde at the above captioned number at your earliest convenience.

Respectfully,



Dennis Atkinson
President, Tejon-Castac Water District

Enclosures Tentative Redline Comments

cc: Babs Makinde
Dean Brown
Angelica Martin
Ernest Conant

TEJON-CASTAC WATER DISTRICT'S COMMENTS
ON CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CENTRAL
VALLEY REGION

WASTE DISCHARGE REQUIREMENTS

TENTATIVE ORDER NO. R5-2011-

Comment #1, Page 2, Item 8, we propose the following language:

8. The New East WWTF consists of: two fine screens (one millimeter), screw compactor, mixed anoxic basin, pre-aeration basin, two membrane bioreactor (MBR) basins, ~~aerated~~ sludge ~~aeration~~ tanks, one ultraviolet disinfection unit, one 0.9 million gallon (MG) lined storage pond, one 2 MG unlined storage/percolation pond, and approximately 13 acres of Use Area. A site map of the WWTF is shown on Attachment A and a process flow schematic is shown on Attachment B, both of which are attached hereto and made part of this Order by reference.

Comment #2, Page 4, Item 21, line 4 we propose the following language:

21. Title 22, Section 60323, requires recyclers of treated municipal wastewater to submit an engineering report detailing the use of recycled water, contingency plans, and safeguards. The discharges has submitted a Title 22 Engineering Report to DPH, but it has not been approved yet. ~~On _____, 2010~~Previously, CDPH's approved "Interim Water Recycling Disinfection Plan" which outlines guidelines that would allow the discharge to apply recycled water while the Title 22 Engineering Report and onsite UV validations are completed. A provision requiring the Discharger to submit a written copy of the letter from DPH approving the Title 22 Engineering Report prior to the application of recycled water ~~is included in this Order other than as outlined in the "Interim Water Disinfection Plan".~~ is included in this Order.

Comment #3, Page 7, Item 43. We propose the following language:

43. The Basin Plan identifies the greatest long-term problem facing the entire Tulare Lake Basin as the increase in salinity in groundwater, which has accelerated due to the intensive use of soil and water resources by irrigated agriculture. The Basin Plan recognizes that degradation is unavoidable until there is a long-term solution to the salt imbalance. Until then, the Basin Plan ~~has established three specific criteria for salesalinity management in subareas of the Tulare Lake Basin. Those requirements are outlined below:~~~~establishes several salt management requirements, including:~~

a. Strike in its entirety and replace with the following language:

~~White Wolf Subarea overlying Class I irrigation water (groundwater)–discharges shall not exceed 1000 µmhos/cm ec. 175 mg/L chlorides , 60 percent sodium, and 1.0 mg/l boron.~~

b. Strike in its entirety and replace with the following:

~~White Wolf Subarea overlying Class II or poorer irrigation water (groundwater)- Dischargers shall not exceed 2,000 µmhos/cm EC. 350 mg/L chlorides. 75 percent sodium. 75 percent sodium and 2mg/l boron.~~

c. Add C. and the following language:

~~All other areas in the Tulare Lake Basin – discharges shall not exccceed an EC level (µmhos/cm) of source water + 500.~~

Comment #4, Page 7 Item 44, We propose the following language:

44. Strike in its entirety and replace with the following language:

~~The White Wolf Subarea consists of 64,000 acres within the Tulare Lake Basin about 20 miles south of Bakersfield. The subarea is bounded on the West by the San Emidio Mountains, on the South and East by the Tehachapi Mountains and on the North by the White Wolf Fault.~~

~~The subject discharge will take place in the White Wolf Subarea. Based on the quality from the discharger's backup source water well underlying groundwater is considered Class II for EC discharge limites. EC limits for this discharged wil be as required for White Wolf Subarea overlying Class II groundwater. (see 43b above)~~

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Comment #5, Page 8, Item 47.a. We propose the following language:

- a. For salinity, the Basin Plan specifies that the incremental EC of a discharge cannot exceed the EC of the source water plus 500 $\mu\text{mhos/cm}$ unless discharge is in the White Wolf Subarea. The Basin Plan also specifies that discharges to the White Wolf Subarea overlying Class II groundwater cannot exceed an effluent EC limit of 2,000 $\mu\text{mhos/cm}$ in the White Wolf Subarea. The average discharge EC of 1301 $\mu\text{mhos/cm}$ meets the basin plan discharge limit for EC of 2,000 $\mu\text{mhos/cm}$ in the White Wolf Subarea. -Underlying groundwater has an EC that ranges from 1,500 $\mu\text{mhos/cm}$ to 2,300 $\mu\text{mhos/cm}$; therefore, the EC of the discharge is less than the EC of underlying groundwater. EC degradation should it occur will not result in water quality that exceeds applicable water quality objectives for the White Wolf Subarea.

Comment #6, Page 9, Item 49.g. We propose the following language:

- g. ~~Source water and d~~Discharge monitoring; and

Comment #7, Page 12, Paragraph B. Item 2. We propose the following language:

2. ~~_____The 12-month rolling average EC of the discharge when using native sources shall not exceed the 12-month rolling average EC of the source water plus 500 $\mu\text{mhos/cm}$. Compliance with this effluent limitation shall be determined monthly. The Discharger shall comply with this limit in accordance with Provision H.212._____.~~

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Comment #8, Page 12, Paragraph B. Item 2. We propose the following language:

3. The monthly average EC of the discharge when using non-native source shall not exceed 2,000 $\mu\text{mhos/cm}$.

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Comment #89, Page 13, Paragraph C. We propose the following language:

1. The Discharger shall provide continuous, reliable monitoring of flow, ~~UV transmittance~~, UV intensity, UV dose, UV power, and turbidity.
2. The Discharger shall operate the UV disinfection system to provide a minimum UV dose of ~~80~~ 100 millijoules per square centimeter (mJcm^2) at all times, unless otherwise approved by ~~DPH~~ CDPHS.
3. The UV transmittance (at 254 nanometers) in the wastewater shall not fall below 65 percent of the maximum at any time, unless other wise approved by ~~DPH~~ CDPHS.

7. The Discharger shall comply with all of ~~DPH's~~ CDPH'S acceptance conditions for the UV disinfection system in use at the WWTF.

8. Prior to initial discharge to the ~~ponds use armarea~~, the discharger shall submit to the Executive Officer a copy of the letter from: CDPH'S stating that all the UV disinfection system pre-operation acceptance conditions specified by ~~DPH~~ CDPHS have been satisfied or approval outlined to implement in the "Interim Water Recycling disinfection Plan" has been granted.

Comment #910, Page 15, Paragraph E. Item 3. We propose the following language:

4. Recycled water controller, valves, and similar appurtenances shall be affixed with recycled water warning signs, and shall be equipped with removable handles, locking mechanisms, or some other means to prevent public access or tampering. The contents of the signs shall conform to Title 22, CCR, Section 60310. Quick couplers and sprinkler heads, if used, shall be of a type, or secured in a manner, that permits operation only by authorized personnel. Hose bibs that the public could use shall be eliminated.

Comment #1011, Page 16, Item 11. We propose the following:

11. Potable water supply piping and recycled water piping shall not have any cross-connections. Supplementing recycled water with potable water shall not be allowed except through an air-gap separation or, if approved by the ~~DPH~~ CDPHS, a reduced pressure principle backflow device.

Comment #1112, Page 20, Item 13 and 19. We propose the following language:

13. All wastewater discharged shall be oxidized, coagulated (if necessary), filtered, and disinfected pursuant ~~DPH~~ CDPHS reclamation criteria, CCR, Title 22, Division 4, Chapter 3, (Title 22), or equivalent. The maximum filtration rate shall not exceed 5 gpm/ft.

Comment #1213, Page 21, Item 16.a. We propose the following language:

a. ~~0.02~~ .20 NTU more than five percent of the time within a 24 hour period, and;

Comment #14, Page 21, Item 119.

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19. **By [180 days from adoption of the Order]**, the Discharger shall submit a Title 22 Engineering Report in accordance with CCR Title 22 Section 60323. The Discharger shall not recycle its effluent until DPH CDPHS has approved the Discharger's Title 22 Engineering Report or reuse in accordance with the "Interim Recycling Disinfection Plan" and a written copy of the approval letter from DPH CDPHS is provided to the Central Valley Water Board.

Comment #~~1315~~, Page 22, Item 21, a, b, c, d, e. We propose the following language:

21. Strike in its entirety.
 - a. Strike in its entirety
 - b. Strike in its entirety
 - c. Strike in its entirety
 - d. Strike in its entirety
 - e. Strike in its entirety

Comment #~~1416~~, Page 22, Item 22. We propose the following language:

22. Strike in its entirety ~~(Drop- contradicts statement and calculation in 46 a. on page 8 of this Tentative Order)~~

TEJON-CASTAC WATER DISTRICT'S COMMENTS
ON CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CENTRAL
VALLEY REGION
MONITORING AND REPORTING PROGRAM R5-2011-

Comment #~~1517~~, Page 3 Paragraph "Source Water Monitoring". We propose the following language:

Strike in its entirety.

Comment #~~1618~~, Page 6, Paragraph "Source water reporting" ~~and~~ Items 1 and 2. We propose the following language:

Strike in its entirety

- ~~1. Strike in its entirety~~
- ~~2. Strike in its entirety.~~

Comment #~~1719~~, Page 7, Paragraph 1. We propose the following language:

1. The type of crop(s) grown or landscaping planted in the Use Area, and the quantified hydraulic and nitrogen loading rates in accordance with Table 2.

INFORMATION SHEET

Comment #1820, Page 2, Paragraph 4. We propose the following:

Basin Plan, Beneficial Uses, and Regulatory Considerations

The Basin Plan identifies the greatest long-term water quality problem facing the entire Tulare Lake Basin is increasing salinity in groundwater, a process accelerated by man's activities and particularly affected by intensive irrigated agriculture. The Basin Plan recognizes that degradation is unavoidable until there is a long-term solution to the salt imbalance. The Central Valley Water Board encourages proactive management of waste streams by dischargers to control addition of salt through use for all areas outside the White Wolf Subarea. Thus the Basin Plan establishes an incremental effluent EC limit of 500 $\mu\text{mhos/cm}$, a chloride content of 175 mg/L, or boron content of 1/0 mg/L

Comment #1921, Page 3, Paragraph 7-3 of "Antidegradation". We propose the following language:

The Order includes two monthly average an average EC effluent limits, ~~an incremental limit of source water plus 500 $\mu\text{mhos/cm}$ and an overall cap limit~~ of 2,000 $\mu\text{mhos/cm}$. ~~The incremental EC effluent limit of source water plus 500 $\mu\text{mhos/cm}$ is general provision that applies to all discharges to land involving advance wastewater treatment.~~ The monthly average EC effluent limit of 2,000 $\mu\text{mhos/cm}$ is included to ensure salinity loading rates to field crops will not adversely affect the crops that will be grown with the recycled water (turf grass). The Order also contains groundwater limitations that will ensure that discharges will not cause exceedances of water quality objectives established in the Basin Plan to protect beneficial uses. With respect to EC, the quality of the discharge is generally of better quality than underlying groundwater.

Comment #2022, Page 5 Paragraph 85 of "Proposed Terms and Conditions". We propose the following language:

The proposed Order includes provisions that would require the Discharger to submit engineering certification that the WWTF has sufficient treatment, storage capacity for each expansion phase, a written copy of the Title 22 Engineering Report approval letter from DPH.

~~As the discharge will not immediately comply with the incremental EC limit of source water plus 500 μ mhos/cm, the Order also includes a time schedule for the Discharger to implement salinity minimization measures to ensure compliance with the limit within thirty months of Order adoption.~~