



# CVCWA

## Central Valley Clean Water Association

*Representing Over Fifty Wastewater Agencies*

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**TERRIE MITCHELL** – Vice Chair, Sacramento Regional CSD  
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October 29, 2013

***Via Electronically Only***

Mr. James Marshall  
Senior Engineer  
Regional Water Quality Control Board,  
Central Valley Region  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670  
[jdmarsshall@waterboards.ca.gov](mailto:jdmarsshall@waterboards.ca.gov)

RE: Comments on Tentative Waste Discharge Requirements Order No. R5-2013-XXXX,  
Ironhouse Sanitary District Water Recycling Facility – Contra Costa County

Dear Mr. Marshall:

The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to submit comments on the Tentative Waste Discharge Requirements for the Ironhouse Sanitary District Water Recycling Facility (Tentative Order). CVCWA is a non-profit association of public agencies located within the Central Valley region that provide wastewater collection, treatment, and water recycling services to millions of Central Valley residents and businesses. We approach these matters with the perspective of balancing environmental and economic interests consistent with state and federal law. In this spirit, we provide the following comments on the annual progress reports for the compliance schedule provision for methylmercury and the interim limit for mercury.

The Tentative Permit on page 16 contains a requirement that Ironhouse Sanitary District (ISD) submit a progress report annually on October 20<sup>th</sup>, starting in 2014 through 2017, as part its compliance schedule with its final effluent limit for methylmercury. Footnote 2 on page 17 of the Tentative Order details the requirements of the annual progress reports:

“The progress reports shall detail what steps have been implemented towards achieving compliance with waste discharge requirements, including studies, construction progress, evaluation of measures implemented, sources of funding, and recommendations for additional measures as necessary to achieve full compliance by the final compliance date.”

Ironhouse Sanitary District is part of CVCWA’s Methylmercury Special Project; a collaborative effort of eighteen publically owned treatment works (POTWs) located both in and outside of the Delta designed to collaboratively fulfill the control study requirements of the Delta Methylmercury TMDL. The purpose of the control study is “to evaluate existing control methods and, as needed, develop additional control methods that could be implemented to achieve their methylmercury load and waste load allocations.” (Basin Plan at p. IV-33.14). “Final reports for Control Studies shall include a description of methylmercury and/or inorganic (total) mercury management practices identified in Phase 1; an evaluation of the effectiveness, and costs, potential environmental effects, and overall feasibility of the control actions. Final reports shall also include proposed implementation plans and schedules to comply with methylmercury allocations as soon as possible.” (Basin Plan a p. IV-33.15.)

CVCWA is concerned that the language of Footnote 2 is inconsistent with the requirements of the TMDL and would require Ironhouse Sanitary District to make findings outside this collaborative study. CVCWA believes the language of Footnote 2 be modified to be consistent with the Delta Methylmercury TMDL and basin plan amendment which require annual reporting on pollution prevention efforts. The Basin Plan on page IV-33.13 states (emphasis added):

“Until the NPDES permitted facility achieves compliance with its waste load allocation, the discharger shall submit annual progress reports on *pollution minimization activities* implemented and evaluation of their effectiveness, including a summary of mercury and methylmercury monitoring results.”

As we contemplated as part of the Delta Methylmercury Stakeholder TMDL group, it may be most efficient for a POTW to submit these pollution minimization TMDL required reports as part of the annual report, so that efforts such as annual monitoring results are not duplicated. CVCWA suggest footnote 2 be replaced with a requirement which mirrors the TMDL requirements for annual progress reports, and allows that they may be submitted as part of the POTWs annual reporting.

CVCWA is also concerned with the interim mercury limit contained in the tentative order. We appreciate the approach that Regional Water Board staff has taken due to lack of monitoring data for this facility; however we are still concerned that the flow data for Ironhouse Sanitary District may not be representative and may put the District in jeopardy of non-compliance. Ironhouse Sanitary District is an intermittent discharger due to its recycling efforts. One year of

flow data may not be representative of flow conditions. CVCWA recommends that the Regional Water Board consider utilizing either the design flow of the facility or other methodology to account for varying discharge flows, as allowed by the TMDL (see Basin Plan IV-33.13 concerning intermittent dischargers).

Please feel free to contact me if you have any questions or wish to discuss our comments. I can be reached at (530) 268-1338 or by email at [eofficer@cvcwa.org](mailto:eofficer@cvcwa.org).

Sincerely,



Debbie Webster,  
Executive Officer

c: (Via email only)  
Pamela Creedon, CVRWQCB  
Kathy Harder, CVRWQCB  
Jenny Skrell, ISD  
Tom Williams, ISD