

**Regional Water Quality Control Board
Central Valley Region
Board Meeting – 4/5 December 2014**

**Response to Written Comments for City of Huron
Wastewater Treatment Facility
Tentative Waste Discharge Requirements**

At a public hearing scheduled for 4/5 December 2014, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board), will consider adoption of Waste Discharge Requirements (WDRs) for discharge from the City of Huron (hereafter Discharger or City) Wastewater Treatment Facility (WWTF). This document contains responses to written comments received from interested parties regarding the tentative WDRs circulated on 5 August 2014. Written comments from interested parties were required by public notice to be received by the Central Valley Water Board by 8 September 2014 to receive full consideration. The Central Valley Clean Water Association (CVCWA) submitted written comments on 8 September 2014 and the City of Huron submitted written comments on 15 September 2014.

Written comments from interested parties are summarized below, followed by the responses of Central Valley Water Board staff. Central Valley Water Board staff also incorporated rescission of WDRs Order 87-012 into the tentative WDRs, updated references to the Drinking Water Program to reflect its recent migration to the State Water Resources Control Board, updated the Monitoring and Reporting Program to reflect new paperless office requirements (no effects to monitoring requirements), and made minor changes to the tentative WDRs to improve clarity and fix typographical errors.

CVCWA COMMENTS

CVCWA – COMMENT No. 1: CVCWA comments that Provision F.20 appears to set a schedule for compliance with Effluent Limitation B.3, but the tentative WDRs do not clearly state that the Discharger is not required to immediately comply with Effluent Limitation B.3. CVCWA requests that the following language be added to Effluent Limitation B.3 of the tentative WDRs: “If the effluent does not meet this limitation, the City is considered to be in compliance with this Order provided that the City is in compliance with Provision F.20 of this Order.” CVCWA makes the corresponding comment that Provision F.20 needs to be revised from, “The Discharger shall, in accordance with the following time schedule, comply with Effluent Limitation B.3.” to read, “To allow the Discharger sufficient time to achieve compliance with Effluent Limitation B.3, the Discharger shall comply with the following time schedule.” CVCWA also comments that a 5-year time schedule for compliance with a salinity-based effluent limitation is too short.

RESPONSE: Staff believes the language of Effluent Limitation B.3 and Provision F.20 is clear and the requested language changes have not been made. Exceedances of the EC limit will not be considered violations provided the City is in compliance with the schedule in Provision F.20. To allow the City potential benefits of potential Basin Plan changes associated with CV-SALTS and/or exception provisions of Resolution R5-2014-0074, we have extended the compliance schedule to 7 years.

CVCWA – COMMENT No. 2: CVCWA requests that Specification C.2 of the tentative WDRs, which reads, “No waste constituent shall be released, discharged, or placed where it will be released or discharged, in a concentration or in a mass that causes violation of Groundwater Limitations of this Order,” is unnecessary and requests that it be removed. CVCWA states it is duplicative of Groundwater Limitations in section E.1 of the tentative WDRs. CVCWA also states that it is inappropriate to reference the “mass” of waste constituents in this way because groundwater limitations implement concentration-based water quality objectives.

RESPONSE: Discharge Specification C.2 has been modified for clarity, but it is neither duplicative nor unnecessary. Violations of the groundwater limitations may occur when waste disposal is improperly managed. Discharge Specification C.2 requires the City to manage its waste disposal in a way that will not cause a violation of the groundwater limitations.

CVCWA – COMMENT No. 3: CVCWA comments that the time schedule for the Discharger to pursue opportunities to recycle WWTF effluent in Provision F.18 of the tentative WDRs is too short. The Provision requires the Discharger to conduct its investigation, prepare a Report of Waste Discharge, prepare a Title 22 Engineering Report, and receive notification from the Division of Public Health that the Title 22 Engineering Report is complete, all within 180 days from adoption of the tentative WDRs. CVCWA recommends that Provision F.18 be changed to allow the City 365 days to complete an investigation of recycled water opportunities, and an additional 365 days to prepare and submit the Report of Waste Discharge and Title 22 Engineering Report.

RESPONSE: The requested changes have been made.

CVCWA – COMMENT No. 4: CVCWA comments that the requirement in Provision F.19 of the tentative WDRs for a Nitrogen Plan requires the Discharger to duplicate work it would be required to perform if it identifies a recycled water project pursuant to Provision F.18. CVCWA recommends that Provision F.19 be changed to allow the Discharger 365 days to prepare the Nitrogen Plan following a complete investigation of recycled water opportunities.

RESPONSE: The requested changes have been made.

CVCWA – COMMENT No. 5: CVCWA comments that the requirement in Provision F.20.a of the tentative WDRs for a Salinity Management Plan is unnecessary and requests that it be removed. Noting relatively low source water, influent, and effluent EC, along with low threat of salinity impacts to groundwater, and the relative small size of the discharge, CVCWA comments that the requirement to prepare a Salinity Management Plan is not justified. CVCWA also states that it does not support the specific requirements in Provision F.20.a that would require the City to analyze particular efforts such as improved wastewater treatment and the use of liquid detergents at laundry facilities.

RESPONSE: The requested change has not been made. The Water Quality Control Plan for the Tulare Lake Basin (Basin Plan) identifies the increase in groundwater salinity as the greatest long-term problem facing the entire Basin. Compared to other municipal WWTFs, the City of Huron WWTF influent wastewater EC is not low relative to its excellent quality source water. Preparation of a Salinity Management Plan is a reasonable requirement to identify sources of salinity and plan for reduction. Provision F.20.a of the tentative WDRs allows the Discharger to define the scope and implementation schedule of the Salinity Management Plan. The examples listed in parentheses should not be interpreted as a complete list of potential salinity minimization measures. The examples are intended to represent types of activities that the City may find worth analyzing. Another example is potential reduction of EC from evaporative cooler wastewater at packing houses in the City.

CVCWA – COMMENT No. 6: CVCWA comments that the Central Valley Water Board recently adopted a Basin Plan amendment that would allow dischargers to apply for an exception from application of effluent salinity requirements and water quality objectives for groundwater salinity

(Resolution R5-2014-0074). CVCWA recommends that the tentative WDRs be revised to allow the City to apply for an exception to the effluent limit for EC, assuming the State Water Resources Control Board (State Water Board) will approve the exception policy.

RESPONSE: The requested changes have not been made. The tentative WDRs do not preclude the Discharger from applying for exception from salinity requirements when the *Policy for Exception from Implementation of Water Quality Objectives for Salinity* is approved by the State Water Board and the Office of Administrative Law. If the Discharger submits a complete application justifying exception from effluent salinity limits in accordance with the policy, the Central Valley Water Board will need to reopen the WDRs and consider appropriate changes.

CVCWA – COMMENT No. 7: CVCWA comments that Provision F.22, which briefly summarizes the effect the CV-SALTS basin planning process could have on the tentative WDRs, does not adequately capture the scope and the long-term sustainable management planning associated with the process. CVCWA requests that Provision F.22 of the tentative WDRs be changed to include the underlined text below:

The Central Valley Water Board is currently implementing the CV-SALTS initiative to develop a Basin Plan amendment that will establish a comprehensive salt and nitrate management plan for the Central Valley. Through this effort the Basin Plan may be amended to include long-term sustainable management measures for salts and nitrates, and may be amended to define how the salinity-based narrative water quality objectives are to be interpreted for the protection of agricultural use. Once the salt and nitrate management plan (or plans) is complete, the Discharger shall have the option to revise an Nitrogen Plan or Salinity Management Plan developed under Provisions F.19 or F.20, so that Discharger-specific plans are consistent with plans developed through CV-SALTS.

RESPONSE: The requested changes have not been made. However, Provision F.22 has been modified for clarity, including some of the descriptive language provided by CVCWA. For the case that the WDRs are reopened to address Basin Plan amendments resulting from CV-SALTS, Provision F.22 has been changed to clarify that the Discharger will have the option to revise salinity and nitrogen management plans.

CITY COMMENTS

CITY – COMMENT No. 1: The City comments that Effluent Limitation B.4 for chloride of 175 mg/L is too close to the current effluent chloride concentration of about 160 mg/L and requests a higher limit.

RESPONSE: The requested changes have not been made. Effluent Limitation B.4 for chloride of 175 mg/L implements the Basin Plan limit for effluent from municipal WWTFs discharged to land overlying groundwater with chloride concentrations of 175 mg/L or less.

CITY – COMMENT No. 2: The City comments that data from 29 Westlands Water District groundwater wells in the area shows average nitrate concentrations in groundwater of 16 mg/L. The City's comments imply that Groundwater Limitation E.1.a.(i) of the tentative WDRs, which limits groundwater nitrate concentrations to no more than 10 mg/L as nitrogen, is inappropriate.

RESPONSE: No changes have been made to Groundwater Limitation E.1.a.(i). The Westlands Water District nitrate results the City cites are in units of nitrate as nitrate rather than nitrate as nitrogen. An average of 16 mg/L in comparable units to the Groundwater Limitation is less than 4 mg/L nitrate as nitrogen. Receiving groundwater is expected to be low in nitrate and the proposed groundwater limitation appears to be appropriate.

CITY – COMMENT No. 3: The City comments that it may need to upgrade the WWTF with tertiary treatment in order to meet Groundwater Limitation E.1.a.(ii), which limits groundwater degradation caused by the discharge to no more than Maximum Contaminant Levels (MCL) quantified in Title 22. The City requests clarification of whether the limitation means the MCL cannot be exceeded or requires it to monitor for the particular constituents.

RESPONSE: No changes have been made to Groundwater Limitation E.1.a.(ii). The City has not submitted any information that indicates to Central Valley Water Board staff that it will not be able to comply with the proposed groundwater limitations. The limitation would apply to receiving groundwater only and not to the discharge. The tentative WDRs do not include groundwater monitoring requirements.

CITY – COMMENT No. 4: The City comments that it has removed the 8,900 tons of biosolids referenced in Finding 15, and that Provision F.16 is no longer necessary.

RESPONSE: The requested changes have been not been made. When staff contacted the City regarding its comments, it was unable to provide sufficient documentation of sludge disposal, including how it was disposed of and where. The City has some evidence that the quantity was about 15,000 tons and individuals reportedly recall that testing showed it was low in organics and was spread over the City's 40-acre parcel south of the WWTF. Additional documentation of the fate of this relatively large quantity of domestic sewage sludge is necessary to determine whether it presents a threat to public health and/or water quality.