



CVCWA

Central Valley Clean Water Association

Representing Over Fifty Wastewater Agencies

MICHAEL RIDDELL – Chair, City of Riverbank
CASEY WICHERT – Secretary, City of Brentwood

TERRIE MITCHELL – Vice Chair, Sacramento Regional CSD
TONY PIRONDINI – Treasurer, City of Vacaville

September 22, 2014

Via Electronic Mail Only

Ms. Katie Carpenter
Engineering Geologist
Regional Water Quality Control Board,
Central Valley Region
1685 E Street
Fresno, CA 93706
kcarpenter@waterboards.ca.gov

RE: Comments on the Tentative Waste Discharge Requirements for Root Creek Water District, Riverstone Wastewater Treatment Facility, Madera County

Dear Ms. Carpenter:

The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to comment on the tentative Waste Discharge Requirements for the Root Creek Water District (District) Riverstone Wastewater Treatment 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 letter, we provide the following comments regarding several of the Central Valley Regional Water Quality Control Board's (Central Valley Water Board) proposed provisions, and request revisions as indicated here.

I. Discharge Prohibition A.3

The Tentative Order includes Discharge Prohibition A.3, which states, “Discharge of waste classified as ‘hazardous,’ as defined in California Code of Regulations, title 23, section 2521(a), is prohibited. Discharge of waste classified as ‘designated’ as defined in Water Code section 13173 is prohibited.”¹ The referenced Water Code section defines “designated waste” as follows:

Nonhazardous waste that consists of, or contains pollutants that, under ambient environmental conditions at a waste management unit, could be released in concentrations exceeding applicable water quality objectives or that could reasonably be expected to affect beneficial uses of the waters of the state as contained in the appropriate state water quality control plan.²

In other words, Discharge Prohibition A.3 prohibits the discharge of waste to land that would exceed applicable water quality objectives. Such a prohibition is duplicative of the groundwater limitations and creates unnecessary liability for the District.

In section G, the Tentative Order prohibits the release of waste constituents from any treatment, reclamation, or storage component associated with the discharge that causes groundwater to contain constituent concentrations in excess of the specified groundwater limitations or natural background quality, whichever is greater. These limitations include the Maximum Contaminant Levels (MCLs) for all the constituents identified in Title 22.³ These groundwater limitations sufficiently protect against discharges from the disposal ponds and land applications that would exceed water quality objectives. By including the reference to “designated” waste in Discharge Prohibition A.3, the Central Valley Water Board has created a repetitive permit provision. The District could be held liable for the violation of the “designated” waste discharge prohibition in addition to the violation of the groundwater limitations. Creating additional liability for publicly-owned treatment works is not good public policy. Accordingly, CVCWA recommends that the Tentative Order be revised to eliminate the reference to designated waste in Discharge Prohibition A.3.

II. Discharge Specification D.1

Likewise, the inclusion of Discharge Specification D.1 is duplicative. This specification requires compliance with the groundwater limitations contained in the Tentative Order. However, the groundwater limitations are an independent requirement; thus, it is unnecessary to include a separate discharge specification requiring compliance therewith.

¹ Tentative Order, p. 15.

² Wat. Code, § 13173(b).

³ Tentative Order, p. 21.

Further, CVCWA is concerned with the inclusion of reference to “mass” as part of the discharge specifications for complying with groundwater limitations. The groundwater limitations are concentration-based requirements that are consistent with adopted water quality objectives. Such objectives, or criteria interpreting narrative objectives, are concentration-based objectives, and therefore it is inappropriate to include reference to “mass” with respect to compliance with groundwater limitations.

III. Recycled Water Use

The Tentative Order requires the District to submit a Notice of Intent (NOI) for coverage under the State Water Resources Control Board’s *Statewide General Waste Discharge Requirements for Recycled Water Use* (General Order) and lists the “minimum” requirements.⁴ However, the Tentative Order is confusing as to whether the District will be discharging tertiary effluent to land application areas under the waste discharge requirements or the General Order. For example, Discharge Prohibition A.6 states that the “[d]ischarge of recycled water to the Use Areas is prohibited until the District has . . . obtained coverage under” the General Order. Yet, the description of the Tertiary Plant explains that disinfected tertiary treated effluent will be stored in the Effluent Storage Pond until it is used for irrigation of citrus and pistachio trees. If the District has not obtained coverage under the General Order, then will this land application be prohibited despite the waste discharge requirements being in place? Conversely, if the District obtains coverage under the General Order, it will no longer need the waste discharge requirements. These inconsistencies should be clarified in the Tentative Order. Further, the “at a minimum” language implies that the District may submit something other than the NOI provided for in the General Order. The General Order contains the requirements for a NOI, and there is no need to partially list them here.

IV. Groundwater Limitations

The Tentative Order includes a groundwater limitation for electrical conductivity (EC) of 900 micromhos/cm (umhos/cm). This limitation is based on the secondary MCL for EC, and represents the lowest range for the secondary MCL. Title 22 states that drinking water is of an acceptable level at 1600 umhos/cm. Further, secondary MCLs are taste and odor standards, thus they are not necessary for the protection of human health. Considering these factors, CVCWA does not support inclusion of a groundwater limitation based on the more stringent secondary MCL for EC. Moreover, it is not necessary to include a specific groundwater limitation for EC considering that groundwater limitation number four (4) incorporates Title 22 standards as groundwater limitations. CVCWA recommends that the groundwater limitation for EC be deleted.

⁴ Tentative Order, p. 24.

Ms. Katie Carpenter

Re: CVCWA Comments on the Tentative Waste Discharge Requirements for Root Creek Water District

September 22, 2014

Page 4 of 4

We appreciate your consideration of these comments. If you have any questions or if CVCWA can be of further assistance, please contact me at (530) 268-1338 or eoofficer@cvcwa.org.

Sincerely,



Debbie Webster,
Executive Officer

cc (via email): Pamela Creedon, Central Valley Regional Water Quality Control Board
(pcreedon@waterboards.ca.gov)