

**Regional Water Quality Control Board
Central Valley Region
Board Meeting – 4/5 June 2015**

**Responses to Written Comments for the
Wheelabrator Shasta Energy Company, Inc.
Shasta County
Tentative Waste Discharge Requirements/NPDES Permit**

At a public hearing scheduled for 4/5 June 2015, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of Waste Discharge Requirements (WDRs)(NPDES Permit No. CA0081957) for the Wheelabrator Shasta Energy Company, Inc. Facility. The final meeting agenda will be available at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/#2015 at least ten days before the meeting. The agenda will provide the date the proposed WDRs/NPDES permit will be heard, indicate the anticipated order of agenda items, and may include staff revisions to the proposed WDRs/NPDES permit.

This document contains responses to written comments received from interested parties regarding the tentative WDRs/NPDES permit circulated on 26 March 2015. Written comments from persons or parties wishing to comment were required by public notice to be submitted to the Central Valley Water Board by 5:00 p.m. on 27 April 2015 to receive full consideration. Written comments were received by 27 April 2015 from:

- Wheelabrator Shasta Energy Company, Inc. (Discharger or Wheelabrator), 27 April 2015

Written comments from the above party are summarized below, followed by the responses of Central Valley Water Board staff. Based on the comments, changes were made to the proposed WDRs/NPDES permit.

DISCHARGER COMMENTS

Central Valley Water Board staff numbered the Discharger's comments to facilitate responses, which are noted in red font in the Discharger's comments that are a part of the Agenda Package.

DISCHARGER COMMENT 1: The Discharger requests that the proposed WDRs/NPDES permit be updated throughout to reflect that the proposed fuel pile storm water pond is currently proposed and has not been constructed. The Discharger also requests that the proposed WDRs/NPDES permit include language indicating that specific requirements pertaining to the proposed fuel pile storm water pond are not effective until the pond is constructed and operational.

RESPONSE: The proposed changes have been made.

DISCHARGER COMMENT 2: The Discharger requests that the language in Provision VI.C.4.h.iii be changed to reflect the dissolved oxygen level as an action level instead of a minimum requirement. The Discharger provided a discussion in support of the requested change.

RESPONSE: The provision was updated to include language that would require the Discharger to collect additional samples if a monthly result shows the dissolved oxygen concentration is below 1 mg/L in the upper one foot of the proposed fuel pile storm water pond. If the additional samples show dissolved oxygen concentration remains below 1 mg/L, the Discharger will be required to either 1) within 10 days of sampling, submit a specific plan to resolve the low dissolved oxygen results within 30 days; or 2) report the results to the Central Valley Water

Board in writing within 10 days and initiate a study that addresses vector control, the potential for odors, and the potential mobilization of metals to groundwater.

DISCHARGER COMMENTS 3 & 4: The Discharger requests changes to Provisions VI.C.6.a.iv and VI.C.6.a.v pertaining to fly ash.

RESPONSE: The requested changes have not been made. The purpose of these provisions is not to make a determination if the fly ash is hazardous or nonhazardous, but rather to note that nonhazardous fly ash shall be handled as indicated in the proposed WDRs/NPDES permit. It is the Discharger's responsibility to determine if the fly ash is classified as a hazardous waste, and if the fly ash is not classified as hazardous, then the provisions in the proposed WDRs/NPDES permit are applicable.

DISCHARGER COMMENT 5: The Discharger requests that footnote 4 in Table E-8 of Attachment E – Monitoring and Reporting Program be updated to make it less confusing, and suggests similar language be used as that in footnote 4 of Table E-2.

RESPONSE: The requested change has not been made. The main purpose of requiring the Discharger to monitor the upstream receiving water monitoring location between November and March is to determine what the background conditions are during the period when there is a higher likelihood of non-irrigation flows in the Anderson Cottonwood Irrigation District Canal making it to downstream natural waterbodies, such as Cottonwood Creek. Although not likely, there may be instances when irrigation water diversions occur between November and March. Thus, including language in the proposed WDRs/NPDES permit that requires monitoring when there is any upstream flow would defeat the purpose of the monitoring if there happen to be irrigation water diversions occurring late or early in the irrigation water diversion season.

DISCHARGER COMMENTS 6–9: The Discharger requested changes to several sections of the proposed WDRs/NPDES permit to improve clarity and correct factual errors.

RESPONSE: The requested changes have been made.