



California Sportfishing Protection Alliance

"An Advocate for Fisheries, Habitat and Water Quality"

3536 Rainier Avenue, Stockton, CA 95204

Tel: 209-464-5067, Fax: 209-464-1028, E: deltakeep@aol.com

15 January 2006

Ms. Pamela Creedon, Executive Officer
Mr. Kenneth Landau, Assistant Executive Officer
Mr. Dave Carlson, Env. Program Manager, NPDES
Ms. Diana Messina, Sr. WRC Engineer
Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6144

VIA: Electronic Submission
Hardcopy if Requested

RE: Waste Discharge Requirements (NPDES Permit No. CA0079367), Alternative Effluent Limitations for Ammonia for Placer County Department of Facility Services, Placer County Sewer Maintenance District No. 3, Placer County

Dear Messrs. Landau, Carlson and Mesdames Creedon and Messina:

The California Sportfishing Protection Alliance and Watershed Enforcers (CSPA) has reviewed the Central Valley Regional Water Quality Control Board's (Regional Board) tentative Waste Discharge Requirements (NPDES Permit No. CA0079367) alternative effluent limitations for ammonia (Order or Permit) for Placer County Department of Facility Services, Placer County Sewer Maintenance District No. 3, Placer County (Discharger) and submits the following comments.

CSPA has previously requested status as a designated party for this proceeding. CSPA is a 501(c)(3) public benefit conservation and research organization established in 1983 for the purpose of conserving, restoring, and enhancing the state's water quality and fishery resources and their aquatic ecosystems and associated riparian habitats. CSPA has actively promoted the protection of water quality and fisheries throughout California before state and federal agencies, the State Legislature and Congress and regularly participates in administrative and judicial proceedings on behalf of its members to protect, enhance, and restore California's degraded surface and ground waters and associated fisheries. CSPA members reside, boat, fish and recreate in and along waterways throughout the Central Valley, including Placer County.

The Regional Board proposes to amend the proposed NPDES permit to allow for variable ammonia Effluent Limitations. Proposed Permit Finding No. 5 has been modified to state that the variable ammonia Effluent Limitation, which varies with pH and temperature, assures the treatment process adequately nitrifies the waste stream to protect the beneficial uses of the receiving stream and prevents aquatic toxicity.

While CSPA does not object to the concept of “floating” or variable effluent limitations for ammonia, they are not, as the proposed alternative Finding language suggests, more protective than a limitation based on “worst case” limits. However, “floating” limitations can be fully protective of the beneficial uses of the receiving stream if adequate monitoring is required. Unfortunately, adequate monitoring is not being required in the proposed Permit. The proposed single daily grab sample is simply insufficient to determine if the Wastewater Treatment Plant (WWTP) adequately nitrifies the wastestream on a continuous basis. The nitrification process can change rapidly during the day and have significant seasonal variation. Consequently, a daily grab sample is insufficient to capture daily or seasonal process changes. Continuous or multiple daily grab samples is necessary to determine compliance with the proposed variable limitation.

Further, the proposed Permit is inadequate since it does not specify that the daily grab sample must be collected during the critical operational periods. The pH and temperature change throughout the day and seasonally. Ammonia is most toxic during periods when the discharge has high temperatures and high pH. There is no requirement that the proposed grab sample be collected during this period.

It is unlikely that the WWTP is staffed full time. Subtle operational changes can affect whether the wastewater treatment system nitrifies the wastestream. A daily grab sample cannot adequately detect operational changes during the day or season sufficient to determine that the system nitrifies on a continuous basis. It is also unlikely that WWTP operations staff would collect samples during periods when they are attempting to correct operational conditions when the nitrification mode of operation would be threatened.

Federal Regulations 40 CFR 122.41(j)(1) requires that samples shall be representative of the monitored activity. A single daily grab sample is insufficient to assure compliance with the ammonia Effluent Limitation and assure that the WWTP is operated in a full-time nitrification mode. Consequently, the proposed Amendment should require either continuous/multiple sampling or be changed back to the “worst case” ammonia Effluent Limitation.

Past NPDES permits extensively cite the State Water Resources Control Board’s Yuba City precedential Order as requiring “worst case” non-floating Effluent Limitations. The State Board’s Order has not changed. The Regional Board is intentionally ignoring the State Board’s Order and proposing a “floating” limitation with sampling that is grossly inadequate to determine compliance.

Thank you for considering these comments. If you have questions or require clarification, please don’t hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Jennings". The signature is written in a cursive style with a large, prominent initial "B".

Bill Jennings, Executive Director
California Sportfishing Protection Alliance