

Central Valley Regional Water Quality Control Board 21/22 June 2007 Board Meeting
Response to Comments for the Placer County Department of Facility Services
Sewer Maintenance District No. 3 (SMD3) Wastewater Treatment Plant
Tentative Waste Discharge Requirements and Cease and Desist Order

The following are Regional Water Quality Control Board (Regional Water Board) staff responses to comments regarding the Tentative NPDES Permit Renewal and Cease and Desist Order (CDO) for the Placer County Sewer Maintenance District No. 3 wastewater treatment plant (WWTP). The tentative permit renewal (NPDES Permit No. CA0079367) and CDO were originally issued for public comment in November 2006 and February 2007. The tentative permit was reissued for public comment due to the continuation of the public hearing on this item at the May 2007 Regional Water Board meeting. Comments were limited to late revisions to the tentative permit (i.e., revisions denoted in underline/strikeout text) regarding the following issues that are the basis of the continued hearing:

- Addition of Compliance Schedule for Proposed Turbidity Effluent Limits,
- Addition of Compliance Determination Language for Regulated Flow,
- Addition of Organochlorine Pesticide Effluent Limits and corresponding Compliance Schedule, and
- Correction of technical errors in the calculation of the proposed Ammonia and Mercury Effluent Limitations.

The Regional Water Board received comments from the Placer County Department of Facility Services (Discharger) and the California Sportfishing Protection Alliance (CSPA) regarding the proposed permit for consideration of adoption at the 21/22 June 2007 Regional Water Board meeting:

Written comments are summarized below, followed by Regional Water Board staff responses.

**PLACER COUNTY DEPARTMENT OF FACILITY SERVICES (DISCHARGER) COMMENTS
(OUTSIDE SCOPE OF CONTINUED HEARING)**

Timely comments were submitted by the Discharger during the public comment period. However, all of the comments raised by the Discharger are outside the scope of this continued hearing. The Regional Water Board may not include comments outside the scope of the hearing in the administrative record.

DISCHARGER - COMMENT NO. 1. Salinity Evaluation and Minimization Plan. The Discharger commented that the proposed effluent limitation for salinity of 700 umhos/cm is based on the most stringent salinity goal of 700 umhos/cm. The Discharger is able to comply with the proposed limitation so a compliances schedule is not needed. Therefore, a salinity evaluation and minimization plan, as required in the permit, should not be included.

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RESPONSE: This comment is beyond the scope of the issues for consideration at this continued hearing and will not be considered.

DISCHARGER - COMMENT NO. 2. Pollution Prevention Plan (PPP). The Discharger commented that turbidity was added to the list of constituents requiring pollution prevention planning/evaluation. Turbidity is an inherent characteristic of wastewater, and the Discharger requests that it be removed from the PPP requirement.

RESPONSE: This comment is beyond the scope of the issues for consideration at this continued hearing and will not be considered.

DISCHARGER - COMMENT NO. 3. Fact Sheet Turbidity Language. The Discharger commented that the proposed turbidity effluent limitation of *10 NTU at any time* listed on page F-42, Section e is repetitive and should be deleted.

RESPONSE: This comment is beyond the scope of the issues for consideration at this continued hearing and will not be considered.

CALIFORNIA SPORTFISHING PROTECTION ALLIANCE (CSPA) COMMENTS

CSPA - COMMENT No. 1: Ammonia Limitations. CSPA commented that the tentative permit is internally inconsistent with respect to seasonal ammonia limitations and the proposed permit fail to include the recommended 4-day average limitation as contained in EPA's ambient criteria for the protection of freshwater aquatic life and only includes a 30-day average and a daily maximum limitation. Additionally, the limitations are inappropriately based on a worst-case monthly average temperature. The temperature used to calculate the ammonia limitation should be based on the worst-case daily temperature. The instantaneous criterion is not based on a monthly average and the derived limitation, based on a monthly average temperature, will not be protective of aquatic life.

Additionally, CSPA commented that the proposed seasonal ammonia effluent limitations has been modified; however the Fact Sheet discussion on page F-24 conflicts with the modifications made in Table A-1, which shows the seasonal limitations deleted.

RESPONSE: Acute ammonia criterion for protection of aquatic life is based on pH. Chronic ammonia criteria for protection of aquatic life are based on pH and temperature. (Ammonia poses a higher chronic toxicity threat at higher temperatures.) The Discharger requested seasonal ammonia limitations to take the lower winter temperatures in account for less-stringent limitations during the months of November through April. However, in calculating the ammonia limitations, protection of acute toxicity conditions prevailed over chronic toxicity conditions. Therefore, the resulting ammonia limitations do not change with seasonal temperature variation, resulting in one set of year-round final ammonia limitations.

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The discussion in the Fact Sheet has been modified to provide the basis for the final proposed ammonia limitations and corresponding changes from the existing NPDES permit. Rationale and justification of changes from the previously proposed limitations to the currently proposed limitations are included in staff response to comments, which are incorporated in the public case file.

Regional Water Board staff concurs that the 4-day chronic criteria for ammonia is to be taken in account in ammonia limitation criteria. The proposed limitations have been recalculated taking the lowest of the long-term averages (LTA) for the (1) acute criterion, and (2) 4-day and 30-day chronic criteria. (The LTAs are calculated using the corresponding acute, 4-day, and 30-day calculation multipliers.) The lowest LTA is then used to calculate average monthly and daily maximum effluent limitations. (Although the 4-day chronic criterion is incorporated into the calculations, NPDES permits do not typically include 4-day limitations.) The resulting revised year-round limitations are more stringent than the previously proposed ammonia limitations.

The 30-day continuous chronic criterion for ammonia protects against chronic toxicity over a 30-day averaging period. USEPA guidance provides that the 4-day chronic criterion is not to exceed 2.5 times the 30-day criterion. Therefore, the maximum 30-day rolling average temperature was used to determine the 30-day chronic criterion, and in turn, the 4-day criterion, which are both used in the ammonia limitation calculations. Regional Water Board staff does not concur that the use of the maximum temperature is appropriate for the determination of a 30-day continuous chronic criteria. This issue only applies to chronic criteria since acute criterion is only based on temperature.

CSPA COMMENT No. 2: Mercury Limitation. CSPA commented that the increase in the mass mercury limitation in the tentative Permit requires an explanation. (The mass discharge limitation for mercury has been raised without explanation of the modification.)

RESPONSE: Correction of technical errors in the calculation of the proposed mercury effluent limitation is part of the continued hearing. The mercury limitation is based on the actual maximum mercury concentration measured in the effluent. Prior to the proposed correction, the actual maximum effluent concentration used to calculate the mercury limitation was not the highest concentration. The highest mercury effluent concentration occurred on 1 June 2005, whereas the previously proposed limitation used a lower concentration measured on 29 March 2002. The permit Fact Sheet explains that the highest value observed on 1 June 2005 was used as the basis of the limitation included in the permit. The permit Fact Sheet includes the basis of the final proposed limitations in the permit. Similar to changes relating to the proposed ammonia limitations, rationale and justification of changes relating to the proposed mercury limitation are included in staff response to comments, which are incorporated in the public case file.