

Central Valley Regional Water Quality Control Board
29 July/1 August 2008 Board Meeting

Response to Comments for the United States Department of Agriculture and
University of California, Davis, USDA Aquatic Weed Control Lab
Tentative Waste Discharge Requirements

The following are Regional Water Quality Control Board, Central Valley Region (Regional Water Board) staff responses to comments submitted by interested parties regarding the tentative Waste Discharge Requirements (NPDES Permit renewal) for the United States Department of Agriculture and University of California, Davis, USDA Aquatic Weed Control Lab. Public comments regarding the proposed Orders were required to be submitted to the Regional Water Board by 5:00 p.m. on 30 June 2008 in order to receive full consideration. The Regional Water Board received comments regarding the proposed NPDES Permit renewal by the due date from the University of California, Davis (Discharger). The submitted comments were accepted into the record, and are summarized below, followed by Regional Water Board staff responses.

University of California, Davis (DISCHARGER) COMMENTS

Discharger Comment No. 1. Clarification of Discharge Point - The Discharger requested clarification with regard to the discharge point and receiving waters in the tentative Order. Over the previous five years, discharge has not entered Putah Creek. When wastewater is discharged from the detention pond, it flows through a PVC pipe into the old North Fork of Putah Creek. It was the Discharger's understanding that only if wastewater from the facility exited from the detention pond through a cement pipe through the levee and was discharged south of the levee would that constitute a "discharge" from the facility. The Discharger requests that the Order explicitly state that the "trigger" for any receiving water and discharge sampling be when wastewater exits the cement pipe (with a flap gate formerly called "D2").

RESPONSE: Clarifying language will be added to specify that the location that would necessitate discharge sampling is the area formerly called "D2". If wastewater exits the cement pipe, where the flap gate is located, into the receiving water (Putah Creek) effluent and receiving water sampling would be required.

Discharger Comment No. 2. Groundwater Monitoring Requirement – The Discharger feels that the groundwater monitoring requirement places an undue burden on the facility. The Discharger states that the compounds used at the facility do not persist long in the environment. They feel any discharges from the facility would have a de minimis impact on groundwater.

RESPONSE: Wastewater entering the ponds comes from a variety of sources. In the ROWD, the Discharger states:

- Wastewater from the main laboratory is discharged into two 1,200 gallon holding tanks and consists of dish/glassware-washing/soap residues and occasional pH standards and buffers. This wastewater is periodically pumped and hauled to the UCD Water Treatment Plant and do not enter the waste stream that is discharged into Putah Creek.
- Sanitary waste is discharged into a septic tank/field system, not connected to Putah Creek.
- Wastewater from the cement pad area adjacent to the agricultural fields is discharged into two back ponds. The ponds are part of 10 ponds used for aquatic plant culture.
- Wastewater from the main cement pad and greenhouses is discharged into the two 1-acre ponds. Only water for plant culture is discharged; no herbicides are discharged into this waste stream.
- Wastewater from small (30 gallon) plastic or fiberglass containers that may be used for herbicide studies is discharged into two 2,000 gallon holding tanks adjacent to one of the 1-acre ponds. From these tanks it is pumped through 55 gallon canisters containing activated charcoal, and finally into the upper 1-acre pond. The activated charcoal is designed to remove herbicides prior to discharge to the pond.

In lieu of establishing groundwater monitoring at this time, Regional Water Board staff are requiring the Discharger to complete and submit a study to determine if groundwater monitoring is necessary. The study will require the Discharger to examine the wastewaters for constituents present (both herbicide active ingredients and their associated breakdown compounds), depth to groundwater, fate and transport, toxicity to both human and aquatic organisms, etc. It is understood the Discharger wishes to eventually cease discharge to surface waters. Results of this study will not only assist in determining if groundwater monitoring is necessary for this NPDES permit, but also will assist in the development of Waste Discharge Requirements for land application in the future.

Discharger Comment No. 3. Confirmation on Monitoring Requirements – Confirmation is requested that monitoring for certain parameters is only required when those compounds are used and discharged. The Discharger states the holding tanks used for segregating herbicide contaminated water have not been discharged for the past six years.

RESPONSE: The holding tanks used at the facility have the potential to contain wastewaters from experiments conducted years ago. While

Regional Water Board staff understand the Discharger's request that monitoring only apply to those parameters used in recent experiments, if a discharge does occur, that discharge may contain compounds that have not been used recently. Therefore, Regional Water Board staff intend for all parameters listed in the MRP to be analyzed in the case of a discharge. Since discharge at the facility occurs so rarely, this requirement should not present an undue burden to the facility.

Discharger Comment No. 4. Vegetation Management at Detention Ponds –

The Discharger requests permission to use fully labeled herbicides to control vegetation at the detention ponds. They state that physical removal of vegetation presents worker hazards due to steep banks.

RESPONSE: The use of fully labeled herbicides is permitted to control vegetation at the detention ponds. All handling, storage, use, and disposal directions shall be followed. No change to the permit was needed.

Discharger Comment No. 5. Gray Water Discharge from New Building –

The Discharger is seeking permission to discharge gray waters from a new building, currently not used, to be collected in two above ground storage tanks. The gray water would be stored in two holding tanks that are infrequently used for capturing herbicides. It is proposed the gray water from the new building would be analyzed for residues of herbicides known to be in the wastewater. The facility states that the new building is not yet plumbed but connecting it to the existing storage tanks would not be difficult.

RESPONSE: So long as the Discharger complies with all the limitations and conditions contained in this Order, future discharge of wastewater from the new building mentioned is permissible. The Discharger is responsible for notifying the Regional Water Board should any new compounds be used or any changes in handling or disposal of gray water from those described in the Order take place prior to any discharge of those wastewaters.

Discharger Comment No. 6. Priority Pollutant Receiving Water Monitoring -

It is requested that the facility be allowed to consolidate receiving water priority pollutant monitoring with other campus sampling and analysis for discharges to Putah Creek. The rationale presented include:

1. The discharge from the facility is negligible (has not occurred in the past 5 years); and
2. The receiving waters receive other campus discharges upstream and downstream of the facility.

RESPONSE: Regional Water Board staff agrees that consolidation of receiving water priority pollutant monitoring with other campus sampling and analysis efforts is appropriate for this particular discharge due to the infrequent discharge and low volumes. Language has been added to Table E-3 which allows the Discharger to submit priority pollutant receiving water monitoring from other campus discharges to Putah Creek in those years where there is no discharge from the facility or coordinate with those other campus entities to obtain representative sampling during years where a discharge from the facility occurs. In addition, the Discharger will have the option to conduct priority pollutant receiving water monitoring as specified in the permit.

Discharger Comment No. 7. New Monitoring Requirements and Increased Monitoring Frequencies - There are new monitoring requirements and increased monitoring frequencies in the tentative Order. The Discharger believes that there is no basis for this and requests that sampling frequencies remain consistent with the current Order.

RESPONSE: There have apparently been no discharges from the facility during the term of the current Order. In developing the tentative Order, SMRs from the Discharger did not appear to have been submitted. It was determined, however, the Discharger did properly fill out the SMRs but they may have delivered to a wrong address. This matter is being examined at this time to ensure it is rectified. Therefore, monitoring frequencies are being returned to their previous levels. As for new monitoring requirements, in order to determine if parameters are being discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, monitoring for those parameters is being required in this Order. Due to the limited data set, there are monitoring requirements for additional parameters to determine if reasonable potential exists for those compounds. The rationale for the monitoring is explained in the fact sheet of the tentative Order.

Discharger Comment No. 8. Groundwater Monitoring – The Discharger proposes that if groundwater monitoring requirements remain in the Order, that after a period of four quarters, sampling frequencies be reduced to annually if no impacts are detected. If no impacts continue, the frequency is requested to be reduced to once every 5 years after the third year of monitoring.

RESPONSE: See the response for Comment No. 2.