February 10, 2014

Mr. Dan Warner
Central Valley Regional Water Quality Control Board
364 Knollcrest Drive, Suite 205
Redding, CA 96002

RE: Tentative Waste Discharge Requirements
NPDES No. CA0082490
Public Comment Letter
Burney Forest Products

Dear Mr. Warner:

Burney Forest Products (BFP) has reviewed the Tentative Waste Discharge Requirements, Order No. R5-2014-XXXX, NPDES No. CA0082490 (Tentative Order) posted by the Central Valley Regional Water Quality Control Board (Board) for public comment, dated January 10, 2014. As optioned in the public posting, BFP is submitting the following recommendations and/or comments for the Board to consider for potential revisions to the Order prior to adoption.

1) Section V.A.19, Receiving Water Limitations, Hardness Dependent Metals (Page 7): The current permit (Order No. R5-2007-0061) stipulates calculated limits for hardness-dependent metals that are based on the hardness measured in the receiving water during the monitoring period. In the Tentative Order, the Board has changed the limits for hardness-dependent metal to a fixed value, which assumes that the hardness of the receiving water will never fall below 31 mg/L as $CaCO_3$. On the contrary, if the hardness of the receiving water increases, the limits may be too restrictive. Lastly, the Board contradicts this static approach by increasing the monitoring frequency for hardness from semi-annual to monthly to allow for concurrent monitoring with storm water metals monthly monitoring (Appendix F, Fact Sheet, Section B.6 and D.1.c).

   BFP requests the Board retain the limits in the current permit to account for variable conditions that may exist in the receiving water.

2) Section VI.C.6.b, Other Special Provisions, Storm Water Benchmark Values (Page 15): The basis for the benchmark values listed in Table 7, Storm Water Benchmark Values do not appear to consider site-specific, background conditions.

   BFP requests an opportunity to establish site-specific benchmark values that considers background conditions at the site.

3) Attachment C, Figure 1 (Page C-1): The title of this schematic is incorrect and should be changed to, "June through September Flows".

4) Attachment C, Figure 2 (Page C-2): The title of this schematic is incorrect and should be changed to, "October through May Flows".

5) Attachment E, Section II, Table E-1, Monitoring Station Locations (Page E-3): The current permit (Order No. R5-2007-0061) lists two optional monitoring locations for Discharge Point SW-001 (M-001A and M-001B). In the Tentative Order, the Board has changed the monitoring location for SW-001 to a single point (EFF-001), which is at the same location as M-001A.

   BFP requests the Board retain the current sample locations in the final Order, as follows, for the reasons listed below this table:

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
SW-001	M-001A	Outfall from storm water retention pond.
SW-001	M-001B	25 feet upstream of the confluence of SW-001 and Canyon Creek within the Drainage Ditch.

   a. M-001B is more representative of water reaching the confluence of SW-001 and Canyon Creek.
   b. All samples collected from SW-001 since 2007 have been from M-001B. Eliminating this location as an option may compromise the historic data base for future evaluations.

   c. It is possible to have flow from the storm water retention pond at M-001A and no flow into the receiving waters. During these instances, the storm water percolates or evaporates before it reaches the receiving water within the first few hours or several days of a discharge event. For example, in 2010 it took five (5) days for storm water effluent from the retention pond to reach the receiving water once flow was initiated. Retaining the M-001B will minimize these instances and improve BFP's ability to meet the concurrent monitoring requirement.

   d. M-001B is closely located to the receiving water monitoring locations (RSW-001 and RSW-002), which provides for a more relative comparison between the discharge and the receiving water. It also improves the ability to sample all points within a narrow time period. Moving the effluent sample point ¼ mile away will diminish the concept of concurrent sampling and make it more difficult to collect samples from all three points during certain weather conditions, such as heavy rainfall events or when it snows.

6) Attachment E, Section IV.A.1 (Page E-3): Based on the request above to retain the current monitoring locations for SW-001 in the final Order, change this section to indicate

"Monitoring Location M-001A or M-001B". This comment also applies to any other references to EFF-001 throughout the Tentative Order.

7) Attachment E, Section IV.A.1, Table E-2, Footnotes 1 and 3 (Page E-4): The requirement to collect samples during the first hour (during daylight hours) of the first discharge after the dry season is impractical and may not be achievable for the following reasons.

   a. As stated above, there are times when flow from the storm water retention pond (SW-001) will quickly percolate or evaporate quickly after discharge, and never reach the receiving water.

   b. The storm water retention pond may take weeks, or months to fill to a level when discharge occurs during periods of low rainfall or light rainfall and snow. Since the pond is remotely located from the power plant, there is no practical means to know when discharge may occur to a precise hour. An operator is dispatched daily to inspect the pond during wet weather, but it is impractical to schedule an hourly inspection of the pond to capture the precise hour of discharge to collect a sample.

   c. Depending on when the discharge occurs, the maximum holding time for some parameters would be difficult, if not impossible to meet. BFP is remotely located and the closest certified laboratory is over an hour from the facility. In addition, the road traveled between the facility may be closed or unsafe to drive during certain weather conditions. This issue may be complicated further when the analysis needs to be subcontracted by one laboratory to another. Some examples include, aquatic toxicity tests which have a maximum holding time of 36-hours, and settleable solids and turbidity, which have a maximum holding time of 48-hours,

   Therefore, BFP requests that Footnotes 1 and 3 be changed, as follows:

   Footnote 1: Samples shall be collected during the first week (during daylight hours) from the first discharge after the dry season and according to sampling frequency thereafter.

   Footnote 3: Samples shall be collected during the first week (during daylight hours) of the first discharge after the dry season and once thereafter during the wet season.

8) Attachment E, Section IV.A.1, Table E-2, Footnote 7 (Page E-4): This footnote duplicates footnote 5 and should be removed.

9) Attachment E, Section VIII.A.1, Table E-5, Footnote 3 (Page E-7): The requirement to collect samples during the first hour (during daylight hours) of the first discharge after the dry season is impractical and may not be achievable. See comment 7.

10) Attachment F, Fact Sheet, Section I.A (Page F-4): BFP requests that the reference to NAES as an entity that provides operation and maintenance services to the plant be removed. BFP is the owner and operator of the facility and NAES is a contracted service provider, which are not typically identified in permits.

11) In the cover letter for the Public Posting, and in the current permit, Doug Tomison is listed as the Facility Contact. The current Facility Contact is Andy Duncan, Plant Manager. Please update the Plant Contact name in the Board's system to reflect this change.

We appreciate the opportunity to review the Tentative Order and to submit comments for your consideration. Should you have any questions or concerns, or need additional information to consider our requests, please contact Andy Duncan, Plant Manager at (530) 335-5023, extension 2, or Tim Smith, Environmental Health and Safety Manager at (530) 335-5023, extension 5.

Sincerely,

Don Burkard
Projects General Manager

Cc: Andy Duncan, NAES Corp.
Tim Smith, NAES Corp.
Robin Shropshire, PPMS
Kathy Woodard, NAES Corp.