Central Valley Regional Water Quality Control Board
20 June 2025 Board Meeting

Response to Written Comments on
Tentative Waste Discharge Requirements for
City of Vacaville
Easterly Wastewater Treatment Plant
Solano County

At a public hearing scheduled for 20 June 2025, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of tentative Waste Discharge Requirements (NPDES No. CA0077691) for the City of Vacaville (Discharger), Easterly Wastewater Treatment Plant (Facility). This document contains responses to written comments received from interested persons and parties in response to the tentative Order. Written comments from interested parties were required to be received by the Central Valley Water Board by 11 April 2025 in order to receive full consideration. Comments were received prior to the deadline from:

1. Discharger (received 11 April 2025)
2. Central Valley Clean Water Association (CVCWA) (received 11 April 2025)
3. Jo Anne Kipps (received 11 April 2025)
4. Yocha Dehe Wintun Nation (received 11 April 2025)

Written comments from the above interested parties are summarized below, followed by the response of Central Valley Water Board staff.

DISCHARGER COMMENTS

The Discharger submitted editorial changes which included correcting citation errors, all of which were accepted by Central Valley Water Board staff.

DISCHARGER COMMENT #1 – Toxicity Calendar Month

Modify the definition of toxicity calendar month to start on the day the routine test initiates rather than the first day of the month. The Discharger requests the definition of the calendar month be edited to similar language in other region's NPDES permits to allow for variations in species availability and/or maintenance/upsets within the process since all samples are to be collected during normal operating conditions. If staff are unable to edit the language, it does need to be clarified that if our month starts on the 10th of each month, it goes until the 9th of the following month, instead of the 1" to 31" currently listed.

RESPONSE:

Central Valley Water Board staff concur. The following edit has been made to section V.A.1 of Attachment E, Monitoring and Reporting Program (MRP):

1. **Toxicity Calendar Month.** The toxicity calendar month is defined as the period of time beginning on the day of the initiation of the routine toxicity monitoring to the day before the corresponding day of the next month if the corresponding day exists, or if not to the last day of the next month (e.g., from June 15 to July 14), or to the last day of the next month if there is no corresponding day (e.g., January 31 to February 28).

DISCHARGER COMMENT #2 – Required Testing with Chronic Toxicity

The Discharger requests clarification of the timing requirement for follow up testing when a routine chronic monitoring results in a "fail". Which of the following is the correct requirement for completing additional MMEL compliance tests?

1) WDRs Section VII.C.2 includes the statement: "…at least one…MMEL compliance test conducted within a toxicity calendar month…"
2) Attachment E (MRP), Section V.B.3 includes the statement: "All required chronic toxicity MMEL compliance tests must be initiated within the same toxicity calendar month."

RESPONSE:

Central Valley Water Board does not concur that WDRs section VII.C.2 conflicts with MRP section V.B.3. The statement in #1 above is compliance determination language describing what constitutes a "fail" of the Test of Significant Toxicity (TST) and non-compliance with the MMEL. The statement in #2 above describes that, if a second MMEL compliance test is needed (i.e., if the routine test results in a "fail" and the first MMEL compliance test results in a "pass"), both the first and second MMEL compliance tests must be initiated within the same toxicity calendar month. The language in both locations is consistent with the Toxicity Provisions. Please refer to the proposed Order, Attachment A, Definitions, which includes the following definition that may help clarify:

WET MMEL Compliance Tests
For the purposes of chronic and acute aquatic toxicity, a maximum of two tests that are used in addition to the routine monitoring test to determine compliance with the chronic and acute aquatic toxicity MMEL.

DISCHARGER COMMENT #3 – Monitoring Location

As noted on page F-5 in Section II.A, and shown in Attachment C, page C-2, the facility has a concrete lined, non-permeable Emergency Storage Basin. However, in multiple places throughout the order, staff refer to the basin by the old terminology when it was an unlined pond, including in the MRP Table E-1. The Discharger requests we edit all instances where the order refers to the emergency storage basin as a "pond" (page 18, page E-1, Table E-1 on page E-4, pages E-17 and 18, page F-55, and page F-62) to a "basin".

RESPONSE:

Central Valley Water Board staff concur and have modified the proposed Order accordingly.

DISCHARGER COMMENT #4 – Turbidity Monitoring Location

The Discharger requests clarification of the point of compliance for the filtration system. On Page F-55, Section VI.B.4.a describes the Filtration System Operating Specifications and set limits for NTU leaving the filter system; however, they are exactly the same outlined on page 18, except in Section VI.C.4.a, it goes on further to say the point of compliance is at Monitoring Location EFF-001. The Discharger would like clarification as to which site should be reported for compliance monitoring.

RESPONSE:

Central Valley Water Board staff concur that turbidity should be monitored at EFF-001 for compliance with the filtration system operating specifications, and section VI.C.4.a of the Fact Sheet has been revised as follows:

a. **Filtration System Operating Specifications.** Turbidity is included as an operational specification as an indicator of the effectiveness of the filtration system for providing adequate disinfection. Failure of the treatment system such that virus removal is impaired would normally result in increased particles in the effluent, which result in higher effluent turbidity. Turbidity has a major advantage for monitoring filter performance, allowing immediate detection of filter failure, and rapid corrective action. The operational specification requires that from 1 May through 31 October, measured at monitoring location EFF 001, turbidity shall not exceed 2 NTU as a daily average; 5 NTU, more than 5 percent of the time within a 24-hour period; and an instantaneous maximum of 10 NTU.

DISCHARGER COMMENT #5 – Monitoring Frequency

On Page 24, Item H, Compliance Determination language for Dissolved Oxygen Receiving Water Limitation, states both monthly and weekly monitoring - *Monthly receiving water monitoring is required in the MRP (Attachment E) and is sufficient to evaluate the impacts of the discharge and compliance with this Order. Weekly receiving water monitoring data, measured at Monitoring Locations RSW-002 and RSW-004, will be used to determine compliance with the dissolved oxygen receiving water limitations to ensure the discharge does not cause the dissolved oxygen concentrations in Old Alamo Creek to be reduced below 5.0 mg/L at any time and the dissolved oxygen concentrations in New Alamo Creek to be reduced below 7.0 mg/L at any time.* However, Table E-4 on page E-14, Section VII.A.1 and Section X.B.7.e both only call for monthly monitoring, as was agreed upon by participating in the Delta Regional Monitoring Plan. We believe the weekly in this section is in error. On Page E-14, Table E-4 the monitoring frequency for Receiving Water Hardness is listed as monthly, which contradicts the requirement listed below the table in VIII.A.2.d which states one sample should be taken in wet weather and one sample in dry weather. The 2/Year requirement is in our current permit, and we believe this is what should be listed in Table E-4 as well.

RESPONSE:

Central Valley Water Board staff concur and Table E-4 of the Monitoring and Reporting Program has been revised to include a 2/Year monitoring frequency for hardness. Permit text for receiving water limits compliance determination language (including Section VII.H for dissolved oxygen) has been removed due to the Supreme Court ruling in the case of the *City and County of San Francisco vs. U.S. Environmental Protection Agency (2025) 145 U.S. 704*, so receiving water monitoring data will not be used to determine compliance.

CENTRAL VALLEY CLEAN WATER ASSOCIATION (CVCWA) COMMENTS

CVCWA COMMENT #1 – Toxicity

CVCWA also supports the City of Vacaville's request to modify the definition of "Toxicity Calendar Month" consistent with similar definitions found in other permits which provide the flexibility provided in the Statewide Toxicity Provisions.

RESPONSE:

Central Valley Water Board staff concur. See Discharger Comment #1.

CVCWA COMMENT #2 – Groundwater Limitations

Like the total coliform limitation for surface water, the groundwater limitation should include an applicable averaging period (as 7-day median).

RESPONSE:

Central Valley Water Board staff concur and have modified the proposed Order accordingly.

CVCWA COMMENT #3 – Statewide General Waste Discharge Requirements for Sanitary Sewer Systems

The Tentative Order Fact Sheet pages F-11 to F-12 should be revised to include the updated State Water Board Order WQ 2022-0103-DWQ.

RESPONSE:

Central Valley Water Board staff concur and have modified section III.C.10 of the Fact Sheet accordingly.

JO ANNE KIPPS COMMENTS

KIPPS COMMENT #1 – Emergency Storage Basin

Revise the tentative order to include information for the Emergency Storage Basin and each flow equalization basin on area, working depth, and basin invert elevations. Also consider disclosing other potentially leaky unit operations with bottom elevations that encroach upon or are below highest anticipated groundwater.

RESPONSE:

Central Valley Water Board staff has revised section II.A of the Fact Sheet as follows:

A. Description of Wastewater and Biosolids Treatment and Controls

The Discharger completed and commissioned a tertiary filtration unit in early 2015 to comply with California Code of Regulations, title 22 (Title 22), division 4, chapter 3 disinfection requirements, which are applicable during the dry season 1 May to 31 October. The current treatment system at the Facility consists of headworks, primary sedimentation basins, aeration basins (nitrification and denitrification), secondary circular clarifiers, tertiary filtration via sand filters, a chlorination contact chamber,

dechlorination facilities, a concrete-lined emergency storage basin, and flow equalization basins.

Basin	Capacity (MG)	Depth (ft)	Invert Elevation (ft)
Emergency Storage Basin	7.2 MG	6.5	61.9
EQ Basin #1	7.5 MG(49,126 sq. ft)	7.5	64.5
EQ Basin #2	7.5 MG (49,126 sq. ft)	7.5	64.5
EQ Basin #3	7.5 MG (50,666 sq. ft)	7.5	64.5
EQ Basin #4	7.5 MG (51,296 sq. ft)	7.5	64.5

KIPPS COMMENT #2 – Groundwater Monitoring Wells

Revise the tentative order to describe the Discharger's groundwater monitoring well network, ideally depicting their locations on an Expanded Facility Site Map (discussed towards the end), presenting elevation data for each well's top of casing and screened interval, and characterizing wells as upgradient, cross-gradient, or downgradient. Analyze groundwater elevation data to estimate the elevation of highest anticipated groundwater under the treatment works, including its lined surface impoundments, and Biosolids Drying Beds #1 and #2, and disclose the vertical separation distances between the inverts of these features and highest anticipated groundwater.

RESPONSE:

Attachment B has been updated to include an updated monitoring well network. Additionally, Facility Description section II.A has been updated in the Fact Sheet to include a description of the groundwater monitoring well network as follows:

> The Discharger maintains a network of seven monitoring wells (RGW-001, RGW-002, RGW-003, RGW-004, RGW-005, RGW-006, and RGW-007). A map of the monitoring wells is included in Attachment B of this Order. The wells were constructed to a depth of 30 to 35 feet below ground level, with groundwater predominantly flowing in easterly to southeasterly direction south of Old Alamo Creek. Historical groundwater data in wells RGW-001, RGW-002, and RGW-003

(upgradient wells) shows that elevations ranged from about 59 to 66 feet, mean sea level and seasonal fluctuations of three to five feet.

KIPPS COMMENT #3 – Groundwater Narrative Limitation

The inclusion of “chemical constituents” in the narrative limitation’s list of parameters that are arguably non-tangible or at least problematic to quantify is unusual and requires explanation. Perhaps what staff meant was something like, “cause groundwater to contain chemical constituents in concentrations that impart taste, odor, toxicity or color that creates nuisance or impairs beneficial uses.”

RESPONSE:

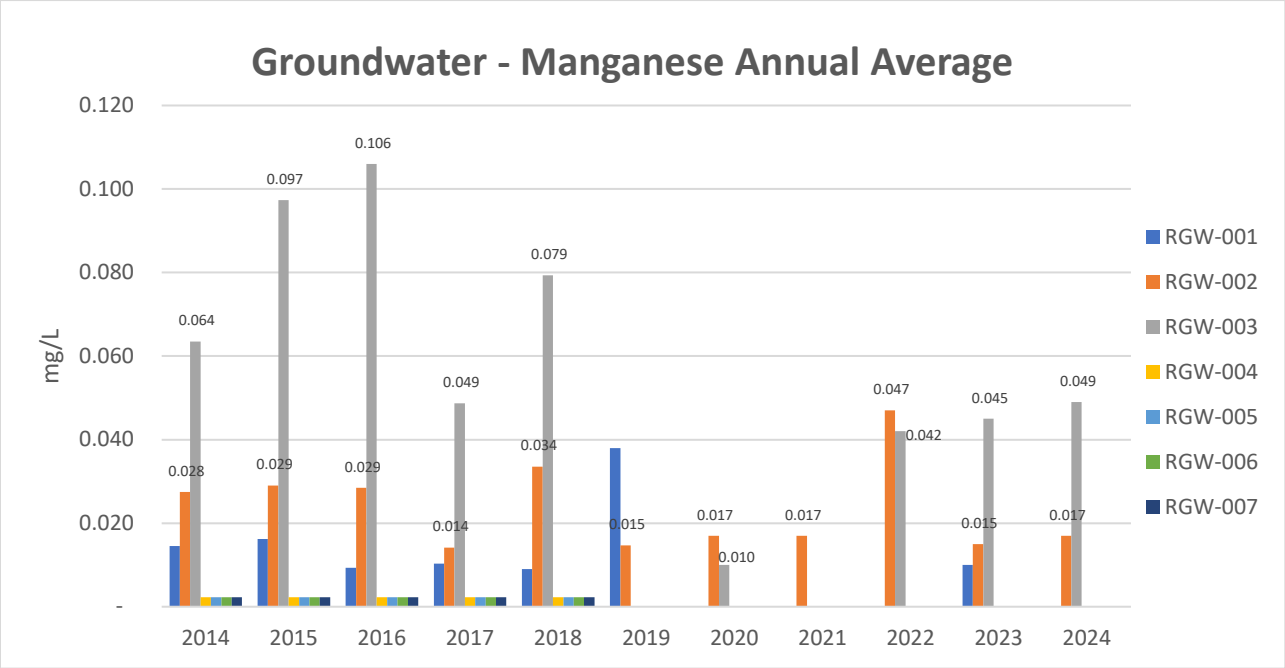
Central Valley Water Board staff concur and have modified the proposed Order accordingly, as further explained in the response to Kipps Comment #4 below.

KIPPS COMMENT #4 – Groundwater Limitations and Monitoring

The reported exceedances of the manganese MCLs in two wells within the treatment works and the ongoing potential for leachate discharges to contribute to apparent legacy organic overloading to groundwater supports the inclusion of a numerical limitation for manganese of 0.05 mg/L and also for the inclusion of arsenic in the suite of monitored constituents in groundwater. Please revise Table 5 to include 0.05 mg/L manganese and specify in the monitoring and reporting program that groundwater samples for iron, manganese, and arsenic be filtered prior to acidification.

RESPONSE:

Central Valley Water Board staff partially concur. The groundwater data from 2014 through 2024 includes 163 samples of manganese in the 7 monitoring wells, and demonstrates that annual average concentrations for manganese have not exceeded the Secondary Maximum Contaminant Level (MCL) for manganese since 2018 as shown the figure below. Furthermore, the data shows that manganese has not been detected (non-detect results) in the downgradient wells (RGW-004, RGW-005, RGW-006, and RGW-007) since 2019.



For consistency with groundwater limitations in other NPDES permits and land discharge permits, Section V.B of the Waste Discharge Requirements has been amended as follows:

B. Groundwater Limitations

Release of waste constituents from any treatment, delivery system, reclamation, or storage component associated with the Facility shall not cause or contribute to groundwater containing constituent concentrations in excess of the concentrations specified below or in excess of natural background quality, whichever is greater:

1. Total coliform organism level of 2.2 MPN/100 mL over any seven-day period.

2. Constituents in concentrations that exceed either the Primary or Secondary MCLs established in Title 22 of the California Code of Regulations, excluding salinity provided the Discharger complies with Provision VI.C.3.a.

3. Contain taste or odor-producing constituents, toxic substances, or any other constituents in concentrations that cause nuisance or adversely affect beneficial uses, (e.g., by creating off-tastes and/or odor, producing

detrimental physiological responses in human, plant, animal, or aquatic life [i.e., toxicity]).

Compliance with these limitations shall be determined as specified in Attachment E using approved statistical methods.

Furthermore, corresponding section V.B of the Fact Sheet has been revised as follows:

B. Groundwater

1. The beneficial uses of the underlying groundwater are municipal and domestic supply, industrial service supply, industrial process supply, and agricultural supply.

2. Basin Plan water quality objectives include narrative objectives for chemical constituents, tastes and odors, and toxicity of groundwater. The toxicity objective requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in humans, plants, animals, or aquatic life. The chemical constituent objective states groundwater shall not contain chemical constituents in concentrations that adversely affect any beneficial use. The tastes and odors objective prohibits taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses. The Basin Plan also establishes numerical water quality objectives for chemical constituents and radioactivity in groundwaters designated as municipal supply. These include, at a minimum, compliance with MCLs specified in Title 22 of the CCR. The bacteria objective prohibits coliform organisms at or above 2.2 MPN/100 mL. The Basin Plan requires the application of the most stringent objective necessary to ensure that waters do not contain chemical constituents, toxic substances, radionuclides, taste- or odor-producing substances, or bacteria in concentrations that adversely affect municipal or domestic supply, agricultural supply, industrial supply or some other beneficial use.

3. Groundwater limitations are required to protect the beneficial uses of the underlying groundwater.

Central Valley Water Board staff has added annual monitoring for dissolved arsenic, manganese, and iron to the list of monitoring parameters in Table E-5 of the Monitoring and Reporting Program (Attachment E), to evaluate for potential groundwater impacts. A footnote to Table E-5 has also been added as follows:

f. Results for total manganese and iron can be evaluated from samples that have been passed through a 1.5-micron filter to evaluate compliance with the Secondary MCL criteria.

Additionally, section VII.C.2.d of the Factsheet has been amended as follows:

d. Groundwater monitoring frequencies and parameters have been retained from Order R5-2019-0049, except as noted in Table F-15, below:

Table F-15 Summary of Groundwater Monitoring Changes

Parameter	Monitoring Location	Prior Sampling Frequnecy	Revised Sampling Frequency	Reason for Change
Arsenic, Dissolved	RGW-001, RGW-002, RGW-003, RGW-004, RGW-005, RGW-006, and RGW-007		1/Year	Periodic evaluation of groundwater impacts
Manganese, Dissolved	RGW-001, RGW-002, RGW-003, RGW-004, RGW-005, RGW-006, and RGW-007		1/Year	Periodic evaluation of groundwater impacts
Iron, Dissolved	RGW-001, RGW-002, RGW-003, RGW-004, RGW-005, RGW-006,		1/Year	Periodic evaluation of groundwater impacts

	and RGW-007			

KIPPS COMMENT #5 – Biosolids Drying Bed Asphalt Liner

Revise the tentative order to describe the design, construction, and maintenance of the asphalt pavement covering the biosolids drying beds. Groundwater data showing adverse impacts to groundwater from sludge-derived waste constituents is evidence that the bed's current liner – asphalt pavement – is inadequate to minimize leachate formation and preclude infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations.

RESPONSE:
Central Valley Water Board staff partially concur. All leachate and drainage from the drying beds circulates back to the headworks of the Facility. The Facility experienced flooding at the site of the Groundwater Monitoring well RGW-007 prior to the reconstruction of the North Drying bed in 2019. The Discharger has not been placing biosolids near the site and the slope was altered to prevent the flooding in that area.

The tentative Order includes Sludge/Biosolids Treatment or Discharge Specifications that specify the following: "The treatment of sludge generated at the Facility shall be confined to the Facility property and conducted in a manner that precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations in section V.B. of this Order. In addition, the storage of residual sludge, solid waste, and biosolids on Facility property shall be temporary and controlled, and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations included in section V.B. of this Order." The tentative Order's Sludge/Biosolids Treatment or Discharge Specifications implement the California Water Code to ensure sludge/biosolids are properly handled onsite to prevent nuisance, protect public health, and protect groundwater quality. Further, transportation and disposal and reuse of the biosolids is regulated by U.S. EPA under 40 C.F.R. part 503, the tentative Order does

Section X.D.2 of the Monitoring and Reporting Program has been updated to include a requirement, shown as item f below, to evaluate and report on the condition of the biosolids drying bed asphalt liner with the Annual Operations Report.

2. **Annual Operations Report.** The Discharger shall submit a written report to the Central Valley Water Board, electronically via CIWQS submittal, containing the following by the due date in the Technical Reports Table E-12:

    f. An evaluation of the condition of the biosolids drying beds asphalt liner. The evaluation must include a description of the operation and maintenance activities taken to minimize potential groundwater impacts. Include a summary of liner inspection and repairs during the year, including photographs documenting liner condition and any repair work.

KIPPS COMMENT #6 – Biosolids & Consultation with Title 27 Staff

In 2018, Google Earth images show what appears to be a discharge of light-colored non-sludge material in the form of two and a half windrows along the western border of Biosolids Drying Bed #2. Amendments or supplemental feedstocks are often employed in composting operations for a variety of reasons. If this material was used in the sludge drying operation, then it would appear that the threat to water quality from discharges to the biosolids drying beds is comparable to a commercial composting operation and, as such, should be regulated as such. Staff with Title 27 Regulatory Program oversees the regulation of commercial composting operations. Please ask the permit writer to consult with Title 27 Program staff regarding the Discharger's residual sludge discharge operation and get their opinion as to whether it is eligible for a Title 27 exemption or should be regulated by Title 27 waste discharge requirements or by the Statewide General Composting Order. Please include a summary of the outcome of this consult in staff's Response to Comments.

RESPONSE:
The Facility's biosolids are not classified as compost, and the drying beds are temporary holding areas to allow the solids to dry prior to hauling to the landfill. The Discharger does not sell or promote the use of the biosolids for any beneficial purpose. Instead, the Discharger pays a tonnage fee to have the biosolids added to the landfill. There is no commercial operation. All leachate from the drying facility is rerouted back to the headworks of the Facility, not allowed to run off into the soil or surrounding areas.

Central Water Board NPDES Staff consulted with the Title 27 staff with regard to the Discharger's biosolids operations to determine if they are exempt or should be regulated by Title 27 waste discharge requirements or by the Statewide General Composting Order. Title 27 staff responded that the Discharger's biosolids operations do not fall under the Statewide General Composting Order since the Discharger is merely drying

sludge to produce biosolids or to reduce the liquid content such that it may be hauled off for disposal at a landfill.

KIPPS COMMENT #7 – Biosolids Drying Beds Details & Prohibition

Please consider revising the tentative Order to:

1. Summarize data on groundwater depth and quality in the vicinity of the biosolids drying beds, disclose the expected permeability of the beds' asphalt-paved surface (i.e., is it 1 x 10-5 cm/s or less?), the technical evidence supporting the value(s) identified for expected permeability, and opine on the current liner's apparent ineffectiveness at minimizing leachate formation compared to other containment designs. Cite this information as evidence supporting a finding that the discharge of residual sludge, as currently conducted, is not exempt from Title 27 prescriptive standards.
2. Include a prohibition of all waste discharges to the biosolids drying beds effective by a reasonable amount of time reflecting the Discharger's financial situation but no later than the permit's expiration date. Include, if possible, information estimating the annual savings realized by reducing hauling tonnage costs as a result of its drying operation.
3. Include a Special Provision to impose a time schedule to achieve compliance with this prohibition

RESPONSE:
Central Water Board Staff do not concur. The Discharge's biosolids operations do not fall under the jurisdiction of the Statewide General Composting Order since the Discharger is merely drying sludge to produce biosolids or to reduce the liquid content such that it may be hauled off for disposal at a landfill. The tentative Order's Sludge/Biosolids Treatment or Discharge Specifications implement the California Water Code to ensure sludge/biosolids are properly handled onsite to prevent nuisance, protect public health, and protect groundwater quality. Further, transportation, disposal, and reuse of biosolids is regulated by U.S. EPA under 40 C.F.R. part 503. The tentative Order does not propose to regulate the offsite use or disposal of biosolids and a time schedule order is not warranted.

Central Water Board Staff has updated section X.D.2 of the Monitoring and Reporting Program to include a requirement to evaluate the condition of the biosolids drying bed asphalt liner, as further described in Kipps Comment #5 above.

KIPPS COMMENT #8 – General Composting Order

If the Discharger informs staff of its intent to continue the biosolids composting operation, issue the Discharger a written request to submit by 365 days a Notice of Intent for coverage under the General Composting Order.

RESPONSE:
Central Valley Water Board Staff do not concur. The Facility's biosolids are not classified as compost, and the drying beds are temporary holding areas to allow the solids to dry prior to hauling to the landfill. See response to Kipps Comment #6 above.

KIPPS COMMENT #9 – Biosolids

If staff disagrees with my assessment of the residual sludge discharge and its ineligibility for Title 27 exemption, then please revise tentative order to:

1. Include by insertion or reference General Composting Order requirements applicable to the Discharger's biosolids composting operation. These include, at a minimum, Design, Construction, and Operation Requirement 1 for Tier 2 and Design, Construction, and Operation Requirements 1, 2, 3, 4, and 8 for All Tiers. Include a Special Provision to impose a compliance time schedule not to exceed the permit's expiration date.
2. Require the Discharger to inspect the condition of the asphalt-pavement liner of the Biosolids Drying Beds at least once annually to ensure its integrity and ability to prevent infiltration of waste constituents into soils in a mass or concentration that may violate groundwater limitations in section V.B. of this Order. Also require the Discharger to maintain and repair the liners as necessary within reasonable timeframes consistent with the severity of the impairment and potential for impact to water quality. Require the Discharger to include in the Annual Report a summary of liner inspection and repairs during the year, including photographs documenting liner condition and any repair work. Consider requiring the same Annual Report submittal for inspection and repair work performed on the concrete-lined basins.

RESPONSE:
Please see responses to Kipps Comment #6 and #8 above. Central Water Board Staff have updated section X.D.2 of the Monitoring and Reporting Program to include a requirement to evaluate the condition of the biosolids drying bed asphalt liner, as further described in Kipps Comment #5 above.

Additionally, Section IX.B.1 of the Monitoring and Reporting Program requires the Discharger to submit inspection reports of the concrete-lined emergency storage basin with the Annual Operations Report.

KIPPS COMMENT #10 – Stormwater

Revise the tentative order to:

1. Update its Storm Water section to reflect current conditions.
2. Describe the Facility's storm water drainage retention basin and depict its location on Attachment C – Wastewater Flow Schematic, which is actually a Facility Site Map.
3. Include a new Construction, Operation, and Maintenance Specification for Storm Water Conveyance Channels and Retention Basin that lists Emergency Storage Pond Operating Requirements iii and v.
4. Include an Expanded Facility Site Map that depicts the boundaries of the Discharger's two parcels and identifies the treatment works, biosolids drying beds, the locations of all seven groundwater monitoring wells, and groundwater gradient direction.
5. Require effluent monitoring for standard minerals be performed quarterly for the first two years and annually thereafter to obtain data over the permit cycle to characterize the mineral quality of impounded wastewater potentially discharged to groundwater as liner leachate. At a minimum, require quarterly effluent monitoring for TDS, chloride, sodium, calcium, and magnesium.

RESPONSE:
Central Valley Water Board Staff do not concur as this Order does not regulate storm water. The NPDES Industrial Storm Water Program regulates storm water discharges from wastewater treatment facilities. Wastewater treatment plants are applicable industries under the storm water program and are obligated to comply with the federal regulations. The Discharger submitted No Exposure Certification (NEC) and, on 28 September 2021, was approved for NEC coverage under the State Water Board Order WQ 2014-0057-DWQ, General Permit for Storm Water Discharges Associated with Industrial Activities (NPDES General Permit No. CAS000001) (IGP). The Discharger was assigned NEC ID 5S48NEC001250. Accordingly, the Discharger is subject to IGP section XVII, Conditional Exclusion - No Exposure Certification (NEC), which requires annual recertification and payment of fees to continue coverage thereunder. The storm drain map below shows the area of the facility that is pumped to the headworks.

WEST YOST ASSOCIATES

FIgure 1

STORM DRAIN MAP

City of Vacaville
Easterly Wastewater
Treatment Plant

An updated site facility map has been included in Attachment B of the Tentative Order.

The Tentative Order includes annual groundwater monitoring requirements for standard minerals in Section VIII.B.1 of the Monitoring and Reporting Program. Adding effluent monitoring requirements for standard minerals is not warranted at this time.

KIPPS COMMENT #11 – Flood Risk

What is the Facility's flood risk and what measures have been implemented to ensure compliance with this flood-protection requirement?

RESPONSE:
The Facility is designed to provide treatment for incoming wet weather and average dry weather flows, thereby protecting against inundation and washout. According to FEMA, the Facility is not constructed in an area with a 1% annual chance of flooding. Additionally, even though the Facility flood risk is low, structures are generally elevated, which would reduce risk of inundation of the treatment process should conditions change.

YOCHA DEHE WINTUN NATION COMMENTS

Yocha Dehe Wintun Nation #1 – Consultation

The Nation Cultural Resources Department submitted a letter stating it has reviewed the project and concluded that it is within the aboriginal territories of the Yocha Dehe Wintun Nation. The Yocha Dehe Wintun Nation have a cultural interest and authority in the proposed project area and would like to initiate a formal consultation with the lead agency. At the time of consultation, please provide our Cultural Resources Department with a project timeline, detailed project information and the latest cultural study for the proposed project.

RESPONSE:
The Central Valley Regional Water Quality Control Board office renews individual NPDES permits every 5 years, as required by U.S. EPA. Our process involves sending a preliminary draft to the discharger, and U.S. EPA. Subsequently, a tentative order to all interested parties for an official 30-day public comment period via email and/or hard copy mail and posting on our tentative orders webpage. Central Valley Waterboard staff address any public comments in a Response to Comments document that becomes part of the agenda package for a Board meeting. The Board must adopt the finalized NPDES permit at a public hearing. The permit issuance does not authorize any type of construction activities but rather authorizes the City of Vacaville to continue existing operations and allows for discharges of tertiary treated effluent to Old Alamo creek.

Staff contacted the tribe's project manager regarding this inquiry and explained this permit renewal process and that it involves no construction activities. Staff also notified the project manager that the agenda documents for this permit renewal would be available for them to review. As a result of the conversation, the project manager informed staff that a consultation is not warranted.

STAFF REVISIONS

Staff Revision #1 – Antidegradation Policies

Section IV.D.4 of the Fact Sheet updated to include antidegradation policies language for groundwater.

b. **Groundwater.** The Discharger uses one concrete lined emergency storage basin and one storm water retention basin. Percolation from the basins may result in an increase in the concentration of constituents, usually present in domestic wastewater, in groundwater. The State Anti-Degradation Policy generally prohibits the Central Valley Water Board from authorizing activities that will result in the degradation of high-quality waters unless it has been shown that:
    i. The degradation will not result in water quality less than that prescribed in state and regional policies, including violation of one or more water quality objectives;
    ii. The degradation will not unreasonably affect present and anticipated future beneficial uses;
    iii. The discharger will employ Best Practicable Treatment or Control (BPTC) to minimize degradation; and
    iv. The degradation is consistent with the maximum benefit to the people of the state.

    This Order requires that the Discharger comply with groundwater limitations in section V.B. Furthermore, Section IX.B of the Monitoring and Reporting Program includes inspection and monitoring requirements for the concrete lined emergency storage basin.