

APPENDIX B

Comments

Garner, Dylan@Waterboards

From: Stuber.Robyn@epamail.epa.gov
Sent: Thursday, January 31, 2013 2:44 PM
To: Tang, Lila@Waterboards
Cc: Johnson, Bill@Waterboards; Garner, Dylan@Waterboards;
Smith.DavidW@epamail.epa.gov; Greenberg.Ken@epamail.epa.gov
Subject: U.S. EPA comments - draft permit for the City of San Mateo WWTP (Tentative Order No. R2-2013-XXXX, NPDES No. CA0037541)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Tang,

We have reviewed the draft permit for the City of San Mateo Wastewater Treatment Plant (Tentative Order No. R2-2013-XXXX, NPDES No. CA0037541) and discussed with your staff two issues of concern which should be corrected before the final permit is issued. These are backsliding from the existing maximum daily effluent limit for cyanide (i.e., 38 ug/L to 43 ug/L) and the expression of, and monitoring requirement for, the alternative fecal coliform WQBEL. We are also recommending minor changes to the draft permit's collection system tasks to reduce blending and chronic toxicity monitoring conditions.

Regarding backsliding, your approach to evaluating backsliding from statistically calculated WQBELs interprets the statutory requirements (CWA section 402(o)(2) and 303(d)(4)) as applying to the most stringent, statistically calculated Long Term Average describing average facility performance, rather than the existing WQBELs. This is an incorrect interpretation of anti-backsliding requirements under federal law. Rather, the proper approach is to directly compare newly calculated individual WQBELs against the corresponding individual WQBELs in the previous permit. If a backsliding exception is not met, then the WQBEL from the previous permit is retained in the reissued permit if it is more stringent than the newly calculated limit. In this manner, the goal of anti-backsliding to reduce over time the total amount of pollution discharged, except when a permit-specific backsliding exception is met, is achieved. In light of this discrepancy in your evaluation, we ask that the final permit continue to incorporate a daily maximum effluent limit for cyanide of 38 ug/L and your evaluation approach be corrected for future permits.

Regarding the proposed fecal coliform WQBEL, we recommend standardizing the effluent monitoring frequency to five times per month, consistent with the required monitoring frequency for enterococcus. Also, we agree with your staff that the 90th percentile effluent limit should be evaluated using 11 (rather than ten) samples.

We support the special provisions of section VI.C.5.a (specific tasks to reduce blending); however, to guide the collection system tasks in Table 9, we ask that the following language be added: Collection system work must implement all feasible alternatives to reduce blending resulting from all I&I peak flows in the collection system.

Based on our review of toxicity test monitoring provisions, we recommend revising the chronic toxicity test dilution series to more closely bracket the in-stream waste concentration for the discharge of 10% effluent (i.e., 40%, 20%, 10%, 5%, and 2.5% effluent). Also, the toxicity methods manual reference on MRP page E-7 and in Appendix E-2, reference #3 should be updated to: USEPA. October 2002. *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*. Third Edition. U.S. Environmental Protection Agency, Office of Water, Washington DC. EPA/821/R-02/014.

If you have questions regarding these comments, please contact me or my manager, David Smith (415-972-3464) .

Sincerely,

Robyn Stuber,
Environmental Scientist



Robyn Stuber

NPDES Permits Office | 415.972.3524

U.S. EPA Region IX | 75 Hawthorne Street (WTR-5) | San Francisco, CA 94105