California Regional Water Quality Control Board
San Francisco Bay Region

RESPONSE TO WRITTEN COMMENTS
On the Reissuance of an NPDES Permit for Discharges from the
Wastewater Treatment Plants at
601 Canal Boulevard and 2377 Garden Tract Road
Richmond, Contra Costa County

The Regional Water Board received written comments from the following parties on a tentative order distributed for public comment:

1. West County Agency (West County Wastewater District, City of Richmond, Richmond Municipal Sewer District No. 1)
2. U.S. Environmental Protection Agency
3. San Francisco Baykeeper
4. Bay Area Clean Water Agencies

This response to those comments summarizes each comment in *italics* (paraphrased for brevity) followed by a staff response. For the full content and context of each comment, refer to the comment letters. Revisions are shown with strikethrough for deletions and underline for additions. For the full content and context of each comment, refer to the comment letters.

WEST COUNTY AGENCY, et al.

Agency Comment 1: *The Agency requested changes to the facility description to more accurately describe the relationship and responsibilities of the City of Richmond and its contractor, Veolia Water West Operating Services, Inc. (Veolia), which operates the Richmond Plant for the City under a long-term contract.*

Response: We agree and changed the facility description to indicate that Veolia Water West Operating Services operates the collection system. However, we did not include changes that could suggest that the City is not responsible for all aspects of the Richmond Plant and the collection system. Contracting for services does not eliminate these responsibilities. We revised Finding II.B.1 (second paragraph) and Fact Sheet section II.A.1 (second paragraph) as follows (the same paragraph appears in both places):

> The City of Richmond and the Richmond Municipal Sewer District own ~~and operate~~ the Richmond Municipal Sewer District Water Pollution Control Plant (Richmond Plant). The Richmond Municipal Sewer District facilitates the allocation of sewer use fees paid by City of Richmond residents. The City handles administrative, management, and source control responsibilities and contracts out

the operations and maintenance of the Richmond Plant and the sewer collection system ~~and wastewater treatment plant~~. A private operations firm, Veolia Water West Operating Services, Inc., operates the Richmond Plant and collection system under contract and direction of the City of Richmond. The Richmond Plant serves a population of approximately 68,000 covering most of the incorporated area of Richmond. It has a design capacity of 16 MGD for dry weather and a hydraulic capacity of 20 MGD for wet weather conditions. The annual average daily flow in 2011 was about 8.1 MGD. Chlorinated effluents from the West County Plant and the Richmond Plant are combined and dechlorinated prior to discharge from the West County Agency Common Outfall into San Francisco Bay.

Agency Comment 2: *The Agency requested that the locations of Discharge Points 002 and 003 be defined in the Tentative Order.*

Response: We disagree. There is only one discharge point to San Francisco Bay so we eliminated references to Discharge Points 002 and 003. We revised Section IV.A of the tentative order as follows (these revisions also reflect changes made in response to Agency Comment 3 and U.S. EPA Comment 1):

1. The Dischargers ~~Discharges at Discharge Point Nos. 002 and 003~~ shall maintain compliance with the following effluent limitations, with compliance measured at each treatment facility (Monitoring Locations EFF-002, EFF-002B, and EFF-003) as indicated below.

   [Table 6 is unchanged.]

2. **Chlorine Residual:** …

3 **Enterococcus Bacteria:** ~~At Discharge Point Nos. 002 and 003, t~~ The geometric mean of the enterococcus bacteria concentration of all samples in a calendar month shall not exceed 35 most probably number (MPN) ~~colonies~~/100 mL, with compliance measured at Monitoring Locations EFF-002, EFF-002B, and EFF-003.

4. **Total Coliform Bacteria:** ~~At Discharge Point Nos. 002 and 003, t~~ The ~~five-sample~~ median total coliform density of all samples in a calendar month shall not exceed 240 MPN/100 mL and the daily maximum value shall not exceed 10,000 MPN/100mL, with compliance measured at Monitoring Locations EFF-002, EFF-002B, and EFF-003.

Agency Comment 3: *The Agency requested that the enterococcus monitoring frequency be changed from 5/week to 5/month, as indicated in Monitoring and Reporting Program Table E-5 footnote 4. Also, the Agency requested that the units for enterococcus monitoring be changed from "colonies/100 mL" to "MPN/100 mL" because the Agency uses the Enterolert analytical method.*

Response: We agree and also changed the text to clarify that the sampling period is a calendar month. We revised Section IV.A.3 of the tentative order as shown in Agency Comment 2 and Monitoring and Reporting Program Table E-5 as follows:

Table E-5. Effluent Monitoring at EFF-002 and EFF-003

Parameter	Units	Sample Type	Minimum Sampling
⋮	⋮	⋮	⋮
Total Coliform[3]	MPN/100 mL	Grab	5/Week
Enterococcus[3][4]	MPN ~~Colonies~~/100 mL	Grab	5/~~Week~~ Month
Oil and Grease[5]	mg/L	Grab	1/Month

⋮

Sampling Frequency:

Continuous/D = measured continuously, and recorded and reported daily
3/Week = Three times per week
5/~~Week~~ Month = Five times per ~~week~~ month
1/Month = Once per month

We revised Monitoring and Reporting Program Table E-6 as follows:

Table E-6. Effluent Monitoring at EFF-002B

Parameter	Units	Sample Type	Minimum Sampling
⋮	⋮	⋮	⋮
Total Coliform	MPN/100 mL	Grab	1/Day
Enterococcus	MPN ~~Colonies~~/100 mL	Grab	1/Year[4]

Agency Comment 4: *The Agency requested that the ammonia effluent limits be revised to reflect the dilution that occurs at the outfall as estimated in the Agency's 2011 dilution study. Ammonia effluent limits are currently based on a 1977 dilution study using a conservative 25:1 dilution ratio. The 2011dilution study estimates the dilution in the mixing zone using actual tidal velocities and discharge flows under acute and chronic conditions. It estimates that dilution is 117:1 under acute conditions and 164:1 under chronic conditions. The Agency asserts that NPDES permits since 2008, with one exception, have used a similar approach to derive ammonia effluent limits. The Agency complied with its ammonia limits during the past permit cycle, but its effluent quality may change during the next permit cycle due to new water recycling projects.*

Response: We disagree. The Agency can meet its existing ammonia limits, and it provided little information to support its assertion that it needs higher ammonia limits in the coming permit term. The Bay Area Clean Water Agencies made essentially the same comment and, likewise, provided little information to support its claim that wastewater recycling and water conservation will result in the need for higher limits. Increasing water recycling at the West County Plant could conceivably increase ammonia concentrations because ammonia concentrations are higher at the Richmond Plant than at the West County Plant. However, at times, all West County Plant effluent is already being recycled, and the Agency continues to meet its existing limits.

We agree that, over the long term, wastewater recycling and water conservation could increase influent and effluent ammonia concentrations, making compliance with the existing limits more

difficult. Therefore, we added a reopener to the tentative order to allow the permit to be amended if the Agency can demonstrate that changing circumstances are making, or could make, compliance more difficult. As with all permit modification requests, the tentative order requires the Discharger to demonstrate that higher limits would comply with antidegradation policies and to justify an exception to anti-backsliding requirements. Such exceptions would be based on Clean Water Act section 303(d)(4) or 402(o)(2) (for example, a material and substantial alteration or addition to the permitted facility has occurred, or events are transpiring over which the Agency has no control and no reasonable remedy). We revised Provision VI.C.1 of the tentative order as follows:

> ⋮
>
> f. If the Dischargers request adjustments in effluent limits due to the implementation of a stormwater diversion pursuant to the Municipal Regional Stormwater Permit (No. CA0038593)….
>
> g. If the Dischargers submit additional information indicating that ammonia effluent concentrations will increase as a result of additional water recycling or water conservation measures.
>
> h ~~g~~. Or as otherwise authorized by law.
>
> The Dischargers may request permit modification based on any of the circumstances described above. With any such request, the Dischargers shall include antidegradation and anti-backsliding analyses.

Agency Comment 5: *The Agency requested changes to the Pollutant Minimization Program provision to reflect the specific agencies that conduct these programs.*

Response: We agree and revised Provision VI.C.3.a as follows:

> The West County Wastewater District and the City of Richmond ~~Each West County Agency member agency~~ shall continue to improve ~~its~~ their existing Pollutant Minimization Programs to promote minimization of pollutant loadings to the treatment plants and therefore to the receiving waters.

Agency Comment 6: *The Agency requested changes to the Pretreatment Program provision to reflect the specific agencies that conduct these programs.*

Response: We agree and revised Provision VI.C.4.a(1) as follows:

> The West County Wastewater District and the City of Richmond ~~Each West County Agency member~~ shall implement and enforce ~~its~~ their respective approved pretreatment programs in accordance with Federal Pretreatment Regulations (40 CFR 403); pretreatment standards promulgated under CWA Sections 307(b), 307(c), and 307(d); pretreatment requirements specified at 40 CFR 122.44(j) and the requirements in Attachment H, "Pretreatment Requirements."

Agency Comment 7: *The Agency requested a change to the blending reduction provision to allow flexibility for its wet weather storage tank project at the Richmond Plant. The City of Richmond is planning to construct a storage tank that will reduce blending during storms, but it has not yet determined the appropriate size. The storage tank will be designed to reduce blending for a 10-year, 24-hour storm. The Agency also requested changes to the Fact Sheet's rationale for the bypass prohibition.*

Response: We agree and changed Provision VI.C.5.a to ensure that the tank will accommodate water from a 10-year, 24-hour storm. We revised Table 8, task 8, of the Order as follows:

> The City of Richmond and the Richmond Municipal Sewer District shall install and put into service new wet weather pumping and storage facilities at the Richmond Plant, including a storage tank designed to provide wet weather storage at the Plant for ~~that holds~~ at least 3 ~~5~~ million gallons. The tank shall be designed to contain influent from a 10-year, 24-hour storm.

We revised Fact sheet section IV.A.3(B) as follows:

> *There are no feasible alternatives to the bypass.* In its October 2012 Utility Analysis, the City of Richmond completed a No Feasible Alternatives Analysis using the criteria identified in USEPA's draft guidance on *NPDES Permit Requirements for Peak Wet Weather Discharges from Publicly Owned Treatment Works Treatment Plant Serving Separate Sanitary Sewer Collection Systems* (December 2005). ... The City of Richmond plans to do additional pipe repair and replacement projects to reduce inflow and infiltration, and it also plans to build a wet weather ~~(5 million gallon minimum)~~ storage tank at the Richmond Plant to reduce blending events. The tank capacity will be designed for expected inflows from a 10-year, 24-hour storm. The new storage tank will provide at least 3 million gallons of influent storage. These projects will cost about $98.5 million. Provision VI.C.5.a. of the Order requires specific actions for the City of Richmond to take within this coming permit cycle to reduce further the need to blend.

We revised Fact Sheet section VII.C.5.a as follows:

> **Specific Tasks to Reduce Blending.** This provision is based on 40 CFR 122.41(m) and USEPA's draft Peak Wet Weather Policy (December 2005). ...
>
> Tasks 1, 2, ~~5,~~ 6, 7, ~~8, and~~ 9, and 10 require annual workplans and completion reports to repair or replace at least two miles of leaking sewer lines each year. These projects will reduce infiltration. The City of Richmond estimates that each year's projects will reduce infiltration to the collection system by about 500,000 gallons per day during the design storm wet weather event.
>
> Task 3 requires development of a workplan for the Third Street stormwater abatement project. The goal of the project will be to reduce inflow of bay water and stormwater into the collection system by constructing tide gates on the storm

sewer system at problem locations. Currently, when the tide is high during wet weather, stormwater mixed with bay water will overflow into the sanitary sewer.

Task 4 requires completion of the Third Street Stormwater Abatement Project. It will reduce blending by about 3 to5 million gallons per day when blending.

Task ~~7~~ 8 requires completion of a storage tank~~s~~ construction project at the Richmond Plant. It will allow the City of Richmond to retain a portion of influent flows and reduce blending in wet weather. The tank or tanks will be designed for a 10-year, 24-hour storm. At least 3 ~~store at least 5~~ million gallons of wastewater will be stored during wet weather and ~~to be~~ treated later when flows have receded. ~~The City of Richmond estimates that this will eliminate the need for blending when storms are smaller than a 5-year design storm.~~

Task ~~10~~ 12 requires the City of Richmond to submit a No Feasible Alternatives Analysis if it wants to continue blending during the next permit cycle. This analysis will provide the necessary information for the Regional Water Board to determine whether to allow blending during the next permit cycle. …

Agency Comment 8: *The Agency requested to be able to collect either grab or 24-hour composite ammonia samples so sampling for this permit can also be used to comply with our March 2, 2012, letter requiring nutrient data pursuant to Water Code section 13267. In addition, the Agency requested to change the ammonia and cyanide sampling requirements to eliminate the need to composite three samples. The Agency believes such sampling is time consuming and unnecessary.*

Response: We agree and revised Monitoring and Reporting Program Table E-3 as follows:

Table E-3. Effluent Monitoring at EFF-001

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow[1]	MGD	Continuous	Continuous/D
Total Ammonia, as N~~[5]~~	mg/L	Grab or C-24	1/Month
Chlorine, Total Residual[2]	mg/L	Continuous	1 / 2 Hours
⋮	⋮	⋮	⋮
Nickel	µg/L	C-24	1/Month
Cyanide~~[5]~~	µg/L	Grab or C-24	1/Month
Bis(2-Ethylhexyl)Phthalate	µg/L	Grab	2/Year
Endrin	µg/L	Grab	2/Year
Heptachlor	µg/L	C-24	2/Year
Dioxin-TEQ[5~~6~~]	µg/L	Grab	2/Year (1/Wet, 1/Dry Season)

4] Critical life stage toxicity tests shall be performed and reported in accordance with the Chronic Toxicity Requirements specified in MRP section V.B.

~~[5] Each sampling event shall consist of a composite sample comprised of three grab samples taken at equal intervals during the sampling date, with each grab sample being collected in an appropriate container and~~

~~appropriately preserved. Grab samples for ammonia and cyanide may also be composited following appropriate laboratory practices prior to analysis.~~

[5~~6~~] Chlorinated dibenzodioxins and chlorinated dibenzofurans shall be analyzed using the latest version of USEPA Method 1613.

Agency Comment 9: *The Agency requested changes to the monitoring requirements for blending at the combined effluent because the blended flow cannot be measured at the combined outfall.*

Response: We agree. Since blending only occurs at the Richmond Plant, the tentative order already requires that blended flow and volume be measured at the Richmond Plant (Monitoring Station EFF-002B). We revised Monitoring and Reporting Program Table E-4 as follows:

Table E-4. Effluent Monitoring at EFF-001B

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow[1],~~[2]~~	MGD	Continuous	Continuous/D
Total Ammonia, as N	mg/L	Grab	1/Year[2 ~~3~~]
Copper[3 ~~4~~]	µg/L	C-24	1/Year[2 ~~3~~]
Nickel[3 ~~4~~]	µg/L	C-24	1/Year[2 ~~3~~]
Cyanide[3 ~~4~~]	µg/L	Grab	1/Year[2 ~~3~~]
Bis(2-Ethylhexyl)Phthalate	µg/L	Grab	1/Year[2 ~~3~~]
Endrin	µg/L	Grab	1/Year[2 ~~3~~]
Heptachlor	µg/L	C-24	1/Year[2 ~~3~~]

⋮

[1] For effluent flows, the following information shall be reported monthly:
- Daily average flow (MGD)
- Maximum daily flow (MGD)

~~[2] "Flow" means the total volume of blended water discharged. "Volume of partially treated wastewater" means the total volume of wastewater that bypassed secondary treatment.~~

[2 ~~3~~] If a TSS sample collected on the same day exceeds 45 mg/L, the frequency shall be once per day.

[3 ~~4~~] As total recoverable metal.

Agency Comment 10: *The Agency requested that it be allowed to use the clinoptilolite form of zeolite to remove ammonia from effluent samples prior to chronic toxicity testing. Ammonia-related toxicity interferes with the test and is typically controlled by adjusting pH. However, because the test water is very salty and has a high buffering capacity, it is difficult to maintain the pH necessary to avoid ammonia-related toxicity. This phenomenon is described in a February 27, 2013, letter to the Regional Water Board from Pacific EcoRisk. The letter indicates that clinoptilolite will remove ammonia but not metals or organic contaminants.*

Response: We disagree. Clinoptilolite appears to be more selective for ammonia than other forms of zeolite; however, it can still remove some cationic metals and organic contaminants, particularly organic contaminants that are very hydrophobic. Nevertheless, we agree that test-related ammonia toxicity is extremely difficult to control in some tests and results in interference that renders such tests useless. Therefore, the tentative order specifies *Americamysis bahia* as the chronic toxicity test species instead of *Mytilus galloprovincialis*. *A. bahia* tests are less prone to ammonia interference. We did change the tentative order for consistency with other recent permits. We changed Monitoring and Reporting Program section V.B.1.d as follows:

> **Methodology.** Sample collection, handling, and preservation shall be in accordance with USEPA protocols. ... If specific identifiable substances in the discharge can be demonstrated by the Dischargers as being rapidly rendered harmless upon discharge to the receiving water, compliance with the chronic toxicity limit may be determined after the test samples are adjusted to remove the influence of those substances. For example, the Dischargers may manually adjust the pH. Written acknowledgement that the Executive Officer concurs with the Discharger's demonstration and that the adjustment will not remove the influence of other substances must be obtained prior to any other such adjustment.

Agency Comment 11: *The Agency requested that language be added to address concerns about permit violations that may occur as a result of accepting wastewater from Contra Costa County's pilot project to send dry weather runoff and first flush stormwater to the West County Plant for treatment. Due to the unknown quantity and quality of this influent source, the Agency is concerned that it could cause effluent violations and trigger associated penalties or accelerated monitoring despite proper plant operations.*

Response: We agree. The Agency should not be held responsible for violations that result from accepting Contra Costa County's urban runoff and stormwater. We revised section VII of the tentative order as follows:

> Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined in Attachment A—Definitions, the MRP, Fact Sheet section VI, and the Regional Standard Provisions. ...
>
> If West County Wastewater District accepts urban runoff or stormwater redirected from a municipal separate storm sewer covered under the Municipal Regional Stormwater Permit (NPDES Permit No. CA0038593), the Regional Water Board will not consider the exceedance of any effluent limitation resulting from such treatment to be a violation of this Order or a trigger for accelerated monitoring if the Dischargers demonstrate that the exceedance was not caused by operational error, lack of preventive maintenance, or careless or improper operation of the wastewater treatment plant. Such demonstration must be in writing, accompanied by supporting evidence, and submitted within 60 days of the Dischargers becoming aware of the exceedance.

We revised Fact Sheet section II.E as follows:

> The Dischargers currently plan no significant changes for either treatment plant during this permit term. To address blending and sanitary sewer overflows, the City of Richmond will construct a storage tank at the Richmond Plant and repair and replace sewer lines. Provision VI.C.5.a requires these projects as explained in Fact Sheet section VII.C.5.a.
>
> Contra Costa County is proposing a pilot project to send dry weather urban runoff and first flush stormwater for treatment at the West County Plant pursuant to the Municipal Regional Stormwater Permit (NPDES Permit No. CA0038593). The

volume, rate, and chemical composition of the water to be treated are not yet known.

Agency Comment 12: *The Agency requested Fact Sheet changes to more accurately describe effluent monitoring requirements. The first change reflects two new blending monitoring locations, not one. The second change corrects the endrin monitoring frequency.*

Response: We agree and revised Fact Sheet section VI.B (first and fifth bullets) as follows:

- ~~A n~~ New Monitoring Locations (EFF-001B and EFF-002B) ~~is~~ are established to monitor effluent discharges during blending events at the Richmond Plant to evaluate water quality impacts during blending events. Monitoring at EFF-001B and EFF-002B is required consistent with Attachment G, section III.A.3.b.6.
  ⋮
- The frequency of effluent monitoring for endrin has been increased to 2/year ~~monthly~~ because the discharge demonstrates reasonable potential for endrin.

Agency Comment 13: *The Agency requested several non-substantive editorial changes.*

Response: We agree and corrected the typographical errors.

U.S. ENVIRONMENTAL PROTECTION AGENCY (U.S. EPA)

U.S. EPA Comment 1: *U.S. EPA requested that the averaging period for the total coliform effluent limit include all samples in a calendar month, as does the enterococcus limit, not simply five samples.*

Response: We agree and revised Section IV.A.4 as shown in our response to Agency Comment 2):

U.S. EPA Comment 2: *U.S. EPA requested that the blending requirements be revised to state that the collection system work must implement all feasible alternatives to reduce blending resulting from all inflow and infiltration peak flows in the collection system.*

Response: We agree and revised Provision VI.C.5.a as follows:

> The City of Richmond and Richmond Municipal Sewer District shall implement all feasible alternatives ~~the following tasks~~ to reduce blending resulting from inflow and infiltration into the collection system. At minimum, the City of Richmond and Richmond Municipal Sewer District shall complete the following tasks. The City of Richmond may request, and the Regional Water Board authorizes the Executive Officer to approve, changes to Tasks 1-8 and the associated deadlines specified below… .

SAN FRANCISCO BAYKEEPER

Baykeeper Comment 1: *Baykeeper requested that the Utility Analysis be updated to evaluate how the City of Richmond's proposed project to send wastewater to the East Bay Municipal Utility District would affect the frequency and magnitude of blending events. In May 2012, the Richmond City Council directed its staff to evaluate the possibility of sending untreated wastewater to the District's facilities instead of the Richmond plant.*

Response: We disagree. The City's proposal, if implemented, is unlikely to be completed in this permit cycle. The proposal would involve constructing several miles of collection system pipelines through a highly developed environment and possibly through environmentally sensitive areas. Prior to approval, the project would require public notification, environmental review, likely environment mitigation, and other permits. Moreover, the District already has wet weather capacity challenges with its satellite collection system, so this project might simply compound its challenges by transferring a problem from one location to another. The City can and should consider this proposal as it prepares the Utility Analysis required in Table 8,Task 12.

Baykeeper Comment 2: *Baykeeper contended that the Utility Analysis inadequately assesses the feasibility of the projects it lists as potential means of reducing wet weather flows nor estimate how much wet weather flow each potential project could reduce. The Utility Analysis does not indicate whether the 10-year Capital Improvement Program includes future rate increases.*

Response: We agree that the Utility Analysis could be improved, but it complies with existing permit requirements. Table 8, Task 12, of the tentative order clarifies our expectations for the next Utility Analysis and requires information about project financing. Table 8 also identifies a number of specific actions to be completed and requires that all feasible actions be implemented to reduce or eliminate blending. Fact Sheet section IV.A.3(B) explains our rationale for concluding that there are no feasible alternatives to blending at this time.

Baykeeper Comment 3: *Baykeeper contended that the Utility Analysis inadequately describes the City's wet weather storage project. In an October 2012 letter to Baykeeper, the City proposed building a wet weather storage facility at the Richmond plant that includes a storage tank. Construction is to begin December 2013. The Utility Analysis indicates that the tank will have a minimum capacity of 8 to 12 million gallons. However, the tentative order only requires storage for 5 million gallons.*

Response: See our response to Agency Comment 7. The City thinks it may be able to eliminate blending for most storms with a smaller tank than it originally estimated when preparing the Utility Analysis. We prefer to avoid requiring an unnecessarily large tank because resources could be better spent on repairing the City's collection system, which could reduce blending *and* sanitary sewer overflows. The storage tank will not reduce sanitary sewer overflows.

Baykeeper Comment 4: *Baykeeper contended that the Utility Analysis inadequately assesses inflow and infiltration rates, costs, and the City's ability finance programs and projects to reduce inflow and infiltration. Baykeeper contends that the Utility Analysis lacks some details specified in U.S. EPA's draft guidance. The Utility Analysis was to be based on the draft guidance and evaluate (1) the extent to which the permittee is maximizing its ability to reduce inflow and infiltration throughout the collection system, and (2) peak flow reductions obtainable through improvements to capacity, management, operations, and maintenance programs, including costs.*

Response: We evaluated the current Utility Analysis to determine if it met the criteria needed to find that blending is unavoidable at this time (see Fact Sheet section IV.A.3). We agree that more detail is desirable, and this tentative order presents an opportunity to clarify expectations and require specific tasks, as we have in Table 8 of the tentative order. The tentative order requires the next Utility Analysis to be based on U.S. EPA's draft guidance, which includes the points Baykeeper identified. Table 8, Task 12, goes beyond U.S. EPA's draft guidance and requires a thorough assessment of Richmond's inflow and infiltration problem.

Baykeeper Comment 5: *Baykeeper contended that the tentative order should require public notification of peak wet weather diversion events within 24 hours of inception, as well as notification of duration and volume events 48 hours after cessation.*

Response: We agree and added a new task (Task 13) to Table 8 of the tentative order, with a compliance date of October 1, 2013, as follows:

> The City of Richmond shall develop a protocol to alert the public of any bypass, including blending. The protocol shall provide a mechanism to notify the public within 24 hours of the start of a blending incident and provide an approximate duration and volume for the incident within 48 hours of it ending. The mechanism could involve, for example, Website posting or emailing a list of parties who have expressed interest in this information. The Discharger shall submit the protocol to the Regional Water Board.

BAY AREA CLEAN WATER AGENCIES (BACWA)

BACWA Comment: *BACWA requested that concentration-based ammonia effluent limits be calculated using the full dilution estimated in the Agency's recent dilution study, and that mass limits be established based on current performance.*

The Agency's September 2012 dilution study resulted in a dilution factor of 117:1 for acute conditions and 164:1 for chronic conditions. Using these dilution factors, the resulting effluent limits would be 210 mg/L for the average monthly effluent limit (AMEL) and 550 mg/L for the maximum daily effluent limit (MDEL). However, the tentative order retains the existing limits of 32 mg/L AMEL and 59 mg/L MDEL to avoid backsliding.

BACWA is concerned that some of its member agencies may become unable to comply with ammonia effluent limits if full dilution isn't allowed because of water conservation measures, which result in lower flows but just as much ammonia loading, and higher ammonia concentrations. Consistent with the recently adopted Central Contra Costa Sanitary District permit, BACWA proposes that the Agency's ammonia concentrations be allowed to increase, but that ammonia loads be capped at current levels. This strategy would restrict ammonia loading without penalizing the Agency for its water conservation efforts.

Response: See our response to Agency Comment 4.