

Central Valley Regional Water Quality Control Board
7/8 December 2017 Board Meeting

Response to Comments
for the
Mountain House Community Services District
Mountain House Wastewater Treatment Plant
Tentative NPDES Permit Renewal
and Tentative Time Schedule Order

The following are Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff responses to comments submitted by interested parties regarding the tentative Waste Discharge Requirements (NPDES Permit No. CA0084271) renewal for the Mountain House Community Services District (Discharger), Mountain House Wastewater Treatment Plant (Facility).

The tentative NPDES Permit and tentative Time Schedule Order were issued for a 30-day public comment period on 20 September 2017 with comments due by 20 October 2017. The Central Valley Water Board received public comments regarding the tentative NPDES Permit and the tentative Time Schedule Order (TSO) by the due date from the Discharger and the Central Valley Clean Water Association (CVCWA). Changes were made to the tentative NPDES Permit and the tentative TSO based on public comments received.

The submitted comments were accepted into the record, and are summarized below, followed by Central Valley Water Board staff responses.

DISCHARGER COMMENTS

Discharger Comment No. 1. Technical Correction in the Tentative NPDES Permit

The Discharger recommends:

- 1) removal of reference to “accelerated monitoring” on page E-7, WET Testing Notification Requirements and page F-56, c. Chronic Toxicity, since it is no longer a component of whole effluent toxicity testing;
- 2) change of the word "workplan" to "work plan" on page E-8, 3.TRE Reporting, for consistency throughout the tentative permit;
- 3) correction of the acronym “MEDL” to “MDEL” on page F-50, e. Human Health Criteria; and
- 4) change of the reference to section VII.K to VII.J on page E-18, g. Chlorpyrifos and Diazinon Effluent Limitations.

RESPONSE: Central Valley Water Board staff concurs with the Discharger’s suggested changes and has modified the proposed NPDES permit accordingly.

Discharger Comment No. 2. Attachment E, page E-17, section X, Reporting Requirement, B.6.c, in the Tentative NPDES Permit

The Discharger requests the removal of the following requirement:

“The Discharger shall attach all laboratory analysis sheets, including quality assurance/quality control information, with all its SMR’s for which sample analyses were performed.”

The Discharger states that it is a significant addition to the current requirements to upload reporting limits, method detection limits, analytical methods, and result data via the online

California Integrated Water Quality System (CIWQS) database. To fulfill this new reporting requirement, the Discharger would need to upload every individual laboratory report (in portable document format) to provide the QA/QC data that is requested. All QA/QC documents are maintained at the Facility and are available for review upon request.

RESPONSE: Central Valley Water Board staff does not concur. The laboratory analysis sheets are crucial for compliance and enforcement staff to confirm data results and violations. In addition, these documents are important for permitting staff to validate data to ensure quality data is used to perform reasonable potential analyses. Uploading these documents to CIWQS is not an onerous process. Having the information readily available in CIWQS improves Central Valley Water Board staff efficiency and provides information to the public, adding transparency to the self-monitoring program.

Discharger Comment No. 3. Time Schedule Requirement, Task V, p. 3, in the Tentative TSO

The Discharger requests to removal the requirement of demonstration of economic infeasibility to meet the current temperature effluent limitations.

Section 316(a) of the Clean Water Act provides that:

"With respect to any point source otherwise subject to the provisions of section 301 or section 306 of this Act, whenever the owner or operator of any such source, after opportunity for public hearing, can demonstrate to the satisfaction of the Administrator (or, if appropriate, the State) that any effluent limitation proposed for the control of the thermal component of any discharge from such source will require effluent limitations more stringent than necessary to assure the projection [sic] and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made, the Administrator (or, if appropriate, the State) may impose an effluent limitation under such sections on such plant, with respect to the thermal component of such discharge (taking into account the interaction of such thermal component with other pollutants), that will assure the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife in and on that body of water."
[40 CFR 125.73(a)]

Thus, a Section 316(a) exception allows for the development and application of alternative thermal effluent limitations when the existing effluent limitations are more stringent than necessary for the protection and propagation of a balanced, indigenous aquatic community in the receiving water body. Regulations do not require demonstration that compliance with existing thermal effluent limitations is economically infeasible.

Therefore, the Discharger is willing to provide information in the Final Thermal Plan Exception Justification Report and Request regarding treatment feasibility and cost to provide additional information to the Central Valley Water Board, but not the demonstration of economic infeasibility to meet the current temperature effluent limitations.

RESPONSE: Central Valley Water Board staff concurs with the Discharger's request and has modified the proposed TSO as shown below in underline/strikeout format:

Task	Compliance Date
i. Submit Temperature Study – Work Plan and Schedule	Complete
ii. Install meter at outfall to monitor temperature	Complete
iii. Submit Temperature Study – Final Study Report	Complete
iv. Submit Thermal Plan Exception Justification Report and Request	Complete
v. Submit Final Thermal Plan Exception Justification Report and Request The Final Report shall include: <ul style="list-style-type: none"> • Treatment feasibility and cost analysis of demonstrating compliance with the current temperature effluent limitations without an exception is economically infeasible. • Technical reviews by CDFW, NMFS and USFWS concurring with the findings in the Thermal Plan exception request. 	1 September 2018

CENTRAL VALLEY CLEAN WATER ASSOCIATION (CVCWA) COMMENTS

CVCWA Comment No. 1. Provision VI.C.2.a. Toxicity Reduction Evaluation Requirements, in the Tentative NPDES Permit

CVCWA appreciates that Provision VI.C.2.a provides reasonable actions for publicly-owned treatment works to identify and address the causes of toxicity effects that meet a trigger of >1 TUC with options other than immediately undertaking a site-specific Toxicity Reduction Evaluation. CVCWA would like to work with Central Valley Water Board staff on the issue of low-level toxicity as CVCWA’s study on this topic is ongoing.

RESPONSE: Central Valley Water Board staff appreciates the comments and will continue working with CVCWA on these and other issues facing POTW’s in the Central Valley Region.