

November 25, 2008

John H. Robertus, Executive Officer
C/O Northern Core Regulatory Unit
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Re: Submission of Written Comments - Tentative Order No. R9-2008-0082
CRU: 9 000001103: MMATA

Dear Mr. Robertus:

As discussed with Michelle Mata, Genentech, Inc. respectfully submits the attached additional written comments on Tentative Order No. R9-2008-0082.

Please contact me if you have any questions at 760-231-2427.

Sincerely,



Joseph Hess

Sr. Manager, Environmental Health Safety & Security

Cc: Michelle Mata, San Diego Regional Water Quality Control Board
Brian Kelley, San Diego Regional Water Quality Control Board
Gary Harbour Ph D., VP and General Manager Oceanside Product Operations
Gary Van Housen, Senior Corporate Counsel Genentech, Inc.

Genentech, Inc. ("GNE") Written Comments on
Tentative Order No. R9-2008-0082
CRU: 9 000001103: MMATA

- 1) Section II.H., Third Paragraph: GNE requests that the wording be modified as follows to be consistent with the wording in Section III.C.3 of Attachment F:

The State Water Board adopted the *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for ~~surface~~ coastal waters.

- 2) Section IV.A.1.a., Table 7 (Effluent Limitations Based on Table A of the Ocean Plan): GNE requests that the effluent limitation for Temperature be removed from Table 7, given the requested inclusion of temperature-based receiving water limitations in Section V.A., as described in Comment No. 5 below.
- 3) Section V., Introductory Paragraph: GNE requests the following revisions to the introductory paragraph in Section V. to reflect the inclusion of temperature-based receiving water limitations as set forth in the Thermal Plan:

Unless specifically excepted by this Order, the discharge, by itself or jointly with any other discharge(s), shall not cause violation of the numerical water quality objectives established in Chapter II, Table B of the Ocean Plan and in Section 3.B.(4) of the California Thermal Plan, and shall not cause a violation of the following water quality objectives. Compliance with these objectives shall be determined by samples collected at stations representative of the area within the waste field where initial dilution is completed.

- 4) Section V.A., Introductory Paragraph: GNE requests the following revisions to the introductory paragraph in Section V.A. to reflect the inclusion of temperature-based receiving water limitations as set forth in the Thermal Plan:

Receiving water limitations are based on water quality objectives contained in the Basin Plan, ~~and Ocean Plan~~ and Thermal Plan and are a required part of this Order. The discharge shall not cause the following in the Pacific Ocean.

- 5) Section V.A.: GNE requests that the following provision be added as Section V.A.6. to reflect the inclusion of the temperature-based receiving water limitations as set forth in the Thermal Plan applicable to new discharges of elevated temperature wastes:

6. Thermal Characteristics

- a. The discharge of elevated temperature wastes shall not result in increases in the natural water temperature exceeding 4°F at (a) the shoreline, (b) the surface of any ocean substrate, or (c) the ocean surface beyond 1,000 feet from the discharge system. The surface temperature limitation shall be maintained at least 50 percent of the duration of any complete tidal cycle.

- 6) Section VI.A.3.i: GNE requests the following revisions to be consistent with the revised permit date:

This Order expires on ~~November 1, 2013~~ January 1, 2014, after which, the terms and conditions of this permit are automatically continued pending issuance of a new permit, provided that all requirements of USEPA's NPDES regulations at 40 CFR 122.6 and the State's regulations at CCR Title 23, Section 2235.4 regarding the continuation of expired permits and waste discharge requirements are met.

- 7) Attachment E, Section VIII.A.1., Table E-8 (Off Shore Water Quality Intensive Monitoring Requirements): GNE requests that Table E-8 be revised as follows to include a monitoring parameter for Temperature, given the requested inclusion of temperature-based receiving water limitations in Section V.A. (as described in Comment No. 5 above):

Table E-8. Off Shore Water Quality Intensive Monitoring Requirements

Determination	Units	Type of Sample	Minimum Frequency
Visual Observations	-	-	Monthly
Dissolved Oxygen	mg/L	Grab ¹	Monthly
Light Transmittance	Percent	Instrument ¹	Monthly
pH	pH units	Grab ²	Monthly
<u>Temperature</u>	<u>Degrees C</u>	<u>instrument</u> <u>(1- meter intervals,</u> <u>surface to bottom)</u>	<u>Monthly</u>

¹ At the surface, mid-depth, and bottom

² At the surface

- 8) Attachment E, Section X.B.3., Table E-12 (Monitoring Periods and Reporting Schedule): GNE requests that Table E-12 be revised to state that the

monthly monitoring period begins on January 1, 2009 rather than November 1, 2008 to be consistent with the revised permit date.

- 9) Attachment F, Section II.A.2., 1st paragraph: GNE requests that the last 3 sentences be deleted from the first paragraph, as follows, because there is no acid addition being used in this process:

2. Pretreatment of Water for Injection

The sources of wastewater generated from the Water for Injection (WFI) pretreatment system include backwashing and rinsing of the simplex carbon filter and softener units serving the WFI pretreatment train and from the regeneration of the softener resin with a concentrated brine solution. The wastewater flow from the WFI includes 9,500 GPD from the softening units and 2,250 GPD from the carbon filters. **The total wastewater flow from the WFI pretreatment process is 10,000-24,000 GPD.** The pollutants contained in the brine generated from the WFI pretreatment system are similar to those found in the brine from the primary City water treatment system. The pollutants include sodium, calcium, magnesium, and other salts. ~~A small amount of sulfuric acid (20% solution) is added to one of the simplex softener units associated with the WFI. The acid is used to maintain the pH of the softener effluent in the 7 to 8.3 range. This range of pH will ensure proper functioning of the WFI vapor compression stills.~~ **phosphoric acid**

- 10) Attachment F, Section II.A.5: GNE requests the following revision to the second paragraph to reflect that phosphoric acid is being used rather than sulfuric acid:

Once one of the 20,000 gallon equalization tanks reaches 15,000 gallons, a valve is closed and the other tank begins to fill. Each tank has a mixer. The mixers move the wastewater through the pH adjustment skid where the pH is monitored. As the wastewater is routed to the adjustment skid, sensors assess the pH. If the wastewater is outside of the 6.0 – 9.0 s.u. range, ~~sulfuric acid~~ **phosphoric acid** or sodium hydroxide is added to adjust the pH up or down respectively. Once the pH has been adjusted, the wastewater is re-routed back to the 20,000 gallon equalization tank for further comingling. The pH is continuously checked.

- 11) Attachment F, Section IV.C.2.b., 3rd paragraph, 1st sentence: GNE requests that the first sentence of the third paragraph be revised as follows to correct two typographical error:

“An RPA was conducted for the Facility's discharges to the OOO using available data from December 2004-December 2007, for a total of seven sampling events.”

- 12) Attachment F, Section IV.C.4.a: GNE requests that the paragraph be revised as follows to be consistent with the previously-requested changes as described in the above comments (note: boiler blowdown is also removed to be consistent with previous comments submitted by GNE):

Vapor compression still blowdown, ~~boiler blowdown~~, and clean steam generator test flows are considered new discharges of elevated temperature wastes. ~~The specific water quality objective for enclosed bays for new discharges contained in the Thermal Plan states that "elevated temperature waste discharges shall comply with limitations necessary to assure protection of beneficial uses. The maximum temperature of waste discharges shall not exceed the natural temperature of the receiving waters by more than 20°F."~~ Order No. R9-2003-0140 contained an effluent limitation of "Not more than 20° F greater than natural temperature of receiving waters", which is a requirement for elevated temperature wastes for new discharges to enclosed bays and does not apply to this facility. The effluent limitation for temperature from Order No. R9-2003-0140 is being revised to incorporate requirements for new discharges of elevated temperature wastes to coastal waters. The specific water quality objective for new discharges of elevated temperature wastes to coastal waters contained in the Thermal Plan states that "The discharge of elevated temperature wastes shall not result in increases in the natural water temperature exceeding 4°F at (a) the shoreline, (b) the surface of any ocean substrate, or (c) the ocean surface beyond 1,000 feet from the discharge system. The surface temperature limitation shall be maintained at least 50 percent of the duration of any complete tidal cycle." This water quality objective is established as a WQBEL for discharges of compression still blowdown, ~~boiler blowdown~~, and clean steam generator test flows from Discharge Point No. 001 and is based on the requirements of the Thermal Plan.

- 13) Attachment F, Section IV.D.1., Table F-12: GNE requests that the effluent limitation for Temperature be removed from Table F-12, given the requested inclusion of temperature-based receiving water limitations, as described in Comment Nos. 5 and 8 above.
- 14) Attachment F, Section V.A: GNE requests the following revisions to reflect the inclusion of temperature-based receiving water limitations as set forth in the Thermal Plan:

Receiving water limitations in this Order are derived from the water quality objectives for ocean waters established by the Basin Plan, ~~and the Ocean Plan,~~ and the Thermal Plan.

15) Attachment F, Section VI.B.3: GNE requests the following revisions to be consistent with the previously-requested removal of the effluent limitation for temperature, as described in Comment Nos. 2 and 9 above:

Semi-annual monitoring for all constituents having effluent limitations has been retained from Order No. R9-2003-0140 in order to determine compliance with effluent limitations. These constituents are acute toxicity, chronic toxicity, oil & grease, pH, settleable solids, ~~temperature~~, total suspended solids, and turbidity.