

Appendix C: Response to Comments and Summary of Editorial Changes

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

Response to Written Comments
On the Reissuance of General Waste Discharge Requirements for

Discharge or Reuse of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by Fuel Leaks and Other Related Wastes at Service Stations and Similar Sites, NPDES Permit No. NPDES NO. CAG912002

On July 31, 2006, we publicly noticed the Tentative Order, and sent copies to the Dischargers and other known interested parties. During the 60-day comment period, we received comments from United States Environmental Protection Agency Region 9 (USEPA) in an e-mail dated August 28, 2006 (Appendix B). No other parties commented.

The following are USEPA's comments (in summary) and our responses:

1. **Comment:** *Effluent Limitation IV.A.3, on page 8 of the Tentative Order under Toxicity, add to the middle of the first sentence "...the discharge shall be not less than a three sample....".*

Response: We agree and have changed Effluent Limitation IV.A.3 to read, "Toxicity: The survival of rainbow trout test fish in 96-hour static renewal bioassays of the discharge shall be not less than a three sample moving median of 90% survival and a single test value of not less than 70% survival."

2. **Comment:** *Effluent Limitation IV.A.3, on page 8 of the Tentative Order under Toxicity, specify the test method in this paragraph, which should be EPA-821-R-02-012 Test method 2019.*

Response: We agree and have changed Effluent Limitation IV.A.3 to read, "Toxicity: The survival of rainbow trout test fish in 96-hour static renewal bioassays (EPA-821-R-02-012 Test method 2019.0) of the discharge shall be not less than a three sample moving median of 90% survival and a single test value of not less than 70% survival."

For the record, in addition to the above changes, the Revised Tentative Order and attachments were edited to correct grammar, to provide additional clarity, to be more consistent with other recently adopted NPDES permits, and to be factually and legally correct. Some of these changes are explained in more detail below. Numbers 3 through 6 contain requirement changes. The remaining changes are not

substantive, but we are providing explanations for ease of comparing the Tentative Order to the Revised Tentative Order.

3. Tentative Order, Section IV.A, Table 2, Note 3, “Applicable when three or more days of effluent monitoring results are available”, has been deleted.
Reason for this change: This provision was not in the previous permit and is inconsistent with nearly all other NPDES permits adopted by the Regional Water Board.
4. Attachment B, Condition 4.v, the requirement that the Dischargers shall specify more frequent pH monitoring for treatment facilities that use chemicals that may cause pH variances in the effluent, has been deleted. Instead, the Dischargers are required to comply with the monitoring frequency explained in the revised Legend for D/M/Q/Y in Table E.2 of the Attachment E (please see number 5 for the changes made to the Legend for D/M/Q/Y).
Reason for this change: Edited for clarity.
5. Attachment E, Table E.2, Notes, Legend for D/M/Q/Y has been expanded to require that if a chemical is used in the treatment process that might cause pH variances in the effluent, the frequency of pH monitoring in the effluent shall be increased to twice per week for the first month of operation and weekly thereafter if pH monitoring data for the first month of operation demonstrate compliance with pH effluent limits.
Reason for this change: Edited for clarity (see also change number 4 above).
6. Attachment B (Table 5), Attachment C (condition 3), and Attachment E (section I.G), references to “Quality Assurance Officer” have been deleted.
Reason for this change: Edited for clarity.
The Tentative Order required a “Quality Assurance Officer” – meaning, a qualified individual who was not otherwise involved in sample collection, transport, or analysis (please refer to the following web site for a more detailed description:
http://www.waterboards.ca.gov/swamp/docs/swampgapp_template032404.doc) to investigate the cause of data error. We revised this requirement so that a staff person involved in generating monitoring data could also oversee quality assurance/quality control aspects of data generation. If, however, a Discharger were to continue to generate invalid monitoring data, we may require that Discharger to assign an individual independent from those generating the data, to oversee the data generation process.
7. Tentative Order, Table 1, row 5 has been combined with the last row.
Reason for this change: Providing additional clarity.
8. Tentative Order, Section I, has been moved to Table 1, row 5.
Reason for this change: Providing additional clarity.

9. Tentative Order, Section III. Prohibition D has been deleted.
Reason for this change: Removing redundancy because the content of Prohibition D was repeated in Prohibition F.
10. Tentative Order, Section VI.A.2, has been deleted.
Reason for this change: Removing redundancy because the content of Provision VI.A.1 had been repeated in Provision VI.A.2.
11. Tentative Order, Section VI.B.2, has been edited.
Reason for this change: Clarifying that the Executive Officer will specify any required additional monitoring in the authorization letter.
12. Tentative Order, Sections VI.C.6 through VI.C.9, have been edited.
Reason for this change: To provide additional clarification.
13. Tentative Order, Sections VII.C and VII.D, have been deleted.
Reason for this change: Edited for legal accuracy.
14. Attachment E, Section IV.C, has been edited and moved to Section X.5.e.8.
Reason for this change: Keeping all monitoring related requirements together and clarifying that accelerated monitoring is one of the acceptable preventive measures.
15. Attachments E, Sections X.B and X.E have been reorganized.
Reason for this change: Keeping all monitoring related requirements together and deleting redundant sections.
16. Attachment F, Section II.D has been expanded.
Reason for this change: Naming different sections of the permit requiring Dischargers to prevent, identify, and report diesel false positives.
17. Attachments F, Section IV.A, References for the basis of most prohibitions have been edited.
Reason for this change: Correcting the basis for most of these prohibitions.
18. Attachment F, Section IV.B.2, a sentence has been added.
Reason for this change: Providing explanation that USEPA 1986 guidance has no mention of Total Petroleum Hydrocarbon.
19. Attachment F, Section IV.C.2 has been expanded.
Reason for this change: Making this permit more consistent with other recently adopted NPDES permits.

20. Attachment F, Section IV.C4, Second and third paragraphs have been deleted.
Reason for this change: Making this permit more consistent with the State Water Board Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP).
21. Attachment F, Section IV.C5, References for Whole Effluent Toxicity effluent limitations have been edited.
Reason for this change: Correcting the basis for most of these limitations.
22. Attachment F, Sections VII.C.1 through VII.C.4, References for the basis of these provisions have been edited.
Reason for this change: Correcting the basis for these provisions.
23. Attachment F, Sections VII.C.7 and VII.C.8, References for the basis of these provisions have been edited.
Reason for this change: Correcting the basis for these provisions.
24. Attachment G, Table 2, Row 21 has been deleted.
Reason for this change: Edited for clarity.