



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

January 15, 2014

Hope Smythe
Division Chief
Santa Ana Regional Water Quality Control Board
3737 Main St., Ste. 500
Riverside, CA 92501

Re: proposed Salt Management Plan, including potential revisions to NPDES permits for Yucaipa Valley Water District (NPDES Permit No. CA0105619) and City of Beaumont Municipal Wastewater Treatment Plant (NPDES Permit No. CA0105376)

Dear Ms. Smythe:

Thank you for the opportunity to review and comment on the proposed Basin Plan Amendment for the Salt Management Plan within the Santa Ana River watershed, which was public noticed on November 15, 2013. We have concerns about the proposal to remove waste load allocations for two wastewater treatment plant (WWTP) facilities since this constitutes a modification to the Santa Ana River nutrients TMDL, approved by EPA in 1995. Per federal regulations at 40 CFR 130.7, the proposed TMDL modification would require EPA's review and approval which is not indicated in the draft resolution. We also have concerns that the proposal appears to recommend relaxing the WWTP effluent limits for total dissolved solids (TDS) and total inorganic nitrogen (TIN) for these two WWTP facilities which may be inconsistent with backsliding federal regulations at 40 CFR 122.44. We provide more detailed discussion below and include recommendations where feasible.

First and foremost, we urge the Regional Board to reconsider the proposed modification that involves removing existing wasteload allocations for TDS and TIN for these two WWTP facilities. As mentioned above, any modification of wasteload allocations would require EPA's review and approval. As currently proposed, EPA would interpret the removal of wasteload allocations to mean the wasteload allocations for TDS and TIN equal zero, thereby indicating these two facilities would not be allowed to discharge effluent containing these two parameters into ambient waters. We believe that is not the intent of this proposal, since it includes descriptions of future revisions to existing NPDES permits for these two facilities and such future revisions appear to modify the effluent limits for TDS and TIN but not altogether eliminate these limits.

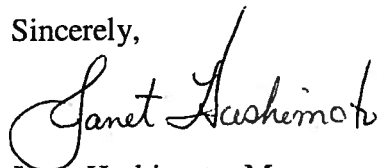
We offer an option for your consideration although it may not be the only method of avoiding the issue described immediately above. The proposal could retain the existing wasteload allocations which would allow these two facilities to continue discharging effluent with TDS and

TIN therein. The proposal would retain relevant information and rationale describing that future permit renewal(s) for these two facilities will contain more restrictive effluent limits for TDS and TIN discharges to meet groundwater quality objectives that are more protective than the existing wasteload allocations. The permit renewal factsheets would also explain this. Permit effluent limits that are more stringent than wasteload allocations are consistent with the TMDL because such limits are more protective and therefore more likely to successfully achieve the water quality standards. We understand these facilities must also release minimum level flows to maintain water in San Timoteo Creek and Cooper's Creek; therefore we recommend the proposal indicate that any possible revised effluent limits for TDS and TIN will also meet all applicable surface water quality standards in these immediate or downstream waters.

Our second concern pertains to the possible relaxation of effluent limits for discharges to surface waters, which relates to NPDES backsliding regulations. We realize the State has sole authority over discharges to water reuse or indirect groundwater recharge. However, this proposal appears to first apply the maximum beneficial use and related water quality numeric objectives and, if certain conditions are not met, then secondly apply the antidegradation use and related numeric objectives. The TDS and TIN numeric water quality objectives associated with maximum beneficial use are higher values (less restrictive) than those associated with antidegradation use. For any facility discharges to surface waters, EPA would expect the antidegradation values to be met first, so as to maintain high water quality in streams as well as to ensure effluent levels do not approach impairment levels in such effluent dominant waters.

We recognize the State's proposal intends to encourage retaining or increasing local water supply via efforts to recharge groundwater. We believe certain modifications to the proposed amendment can achieve this goal as well as be consistent with the Clean Water Act and its implementing federal regulations. We look forward to working with you on this matter. Please contact me at (415) 972-3452 or Peter Kozelka, NPDES permits liaison, at (415) 972-3448 if you have any questions regarding our comments.

Sincerely,



Janet Hashimoto, Manager
Standards and TMDLs Office (WTR-2)