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California Regional Water Quality Control Board

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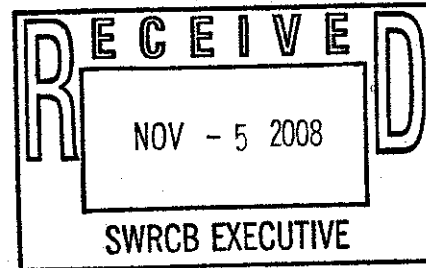
Public Comment
City of Yuba City / A-1895
Deadline: 11/5/08 by 12 noon



Arnold
Schwarzenegger
Governor

5 November 2008

Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor 95814
Sacramento, CA 95812-0100



COMMENTS FOR PETITION OF WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2007-0134 FOR THE CITY OF YUBA CITY WASTEWATER TREATMENT PLANT, SWRCB/OCC FILE NO. A-1895 – 18 NOVEMBER 2008 STATE WATER RESOURCES CONTROL BOARD MEETING

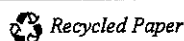
Thank you for the opportunity to comment on the 6 October 2008 draft State Water Board Water Quality Order (draft Order) referenced above. The Central Valley Regional Water Quality Control Board is in general agreement with the directives provided by the State Water Board in the proposed Order remanding Waste Discharge Requirements No. R5-2007-0134 (NPDES Permit), based on issues regarding minimum receiving water flows, dilution based on actual number of effective diffuser ports, mixing zone boundaries, effluent diffuser operations and pond monitoring requirements. However, we are asking for some additional revisions to the draft Order to clarify a number of the following issues:

1. Mixing Zone Boundaries and Dilution Credits:

Normally receiving water monitoring stations are established to evaluate compliance with receiving water standards/objectives at the edge of a mixing zone. At the City of Yuba City discharge location, the Feather River is shallow and rocky, with rapid water flow in the vicinity of a waterfall. Our judgment is that mid-river sampling is not safe, and that the sampling is not critical for an acute mixing zone of approximately four feet in length. We request that the draft Order clarify that the State Water Board's direction to include mixing zone boundary dimensions does not include compliance monitoring at the edge of the mixing zone. (Note that the NPDES permit does include receiving water monitoring at the identified R2 monitoring location.)

The State Water Board identified an inconsistency between the description of the mixing zone and the dilution granted. Regional Water Board staff agrees that the applied dilution credit must correspond with the mixing zone boundary for human health criteria. The dynamic modeling reports produced dilution factors for human health criteria, and a corresponding mixing zone that extended beyond the location of the Shanghai Falls. However, the permit establishes a mixing zone that corresponded to the chronic mixing zone without adjustment to dilution. We agree to re-evaluate this and revise the permit accordingly.

California Environmental Protection Agency



2. Mixing Zone Based on Number of Operational Diffuser Ports: A 15 July 2006 technical memo submitted by the Discharger, and titled *Dilution Study Zone of Passage and Prevention of Acutely Toxic Conditions (Study)*, verifies that 25 of the available 40 diffuser ports were exposed at the time of the field observations, and measurements of diffuser characteristics are scaled by a factor of 40 divided by 25 to project values of the full diffuser. The technical memo further states that (1) the scaled diffuser characteristics were used to calculate the transect of the Feather River in which the mixing zone occupies, and (2) a continuous zone of passage exists with the increased scaled parameters of the mixing zone. This Study was part of the Report of Waste Discharge contained in the administrative record and referenced in the Fact Sheet. Obviously, we could include details of the study in the Fact Sheet but we would like the State Water Board to clarify why it is necessary given the study is readily available and is referenced.
3. Diffuser Portal Maintenance and Monitoring: We agree with the State Water Board's determination that the annual assessment and maintenance of diffuser portals is adequate. The required diffuser maintenance is at a frequency that will assure that the diffuser ports remain unplugged (as considered in the corresponding mixing zone analysis) while taking safety in account for the Discharger's maintenance staff. We should note that this provision of the permit requires the Discharger to ensure 25 diffuser ports remain fully open.
4. Effluent Pond Monitoring: The draft Order identifies the need for the NPDES Permit to require monitoring of all effluent (treated or partially treated) directed to the ponds. Monitoring location EFF-001, identified in the NPDES Permit, is downstream of the disinfection system, and is the location in which the flow from the treatment facility is monitored, regardless of whether fully treated effluent is directed to the river (D-001) or directed to the ponds (D-002).

We agree that the effluent monitoring and reporting requirements in the Permit do not address discharge to the ponds of partially treated wastewater that may not be routed through the disinfection system during process maintenance, a process upset, or operational or mechanical malfunction occurrences. However, these discharges are to a pond system of six ponds that operate in a cascading overflow manner, starting from Pond No. 1 to Pond No. 6. Surface water discharge D-002 is located at the end of Pond No. 6. There is no discharge pipe from the pond system to the Feather River. Discharge from the ponds only occurs when the quantity of water exceeds the total combined capacity of the pond system due to high flood conditions when the river inundates the ponds. Under these conditions, the ponds are unaccessible for discharge monitoring. Therefore, the Permit does not include discharge monitoring from D-002.

To address pond discharge, Special Provision VI.C.4 in the Permit provides pond operating requirements to prevent inundation or washout due to river flooding. (As discussed in Section II.A of the Fact Sheet, the Discharger's standard pond operation is to have all ponds dry by 1 November of each year.) Special Provision VI.C.2.b additionally requires the Discharger to conduct a Disposal Pond Discharge Study to determine if discharge from the ponds during flood conditions causes exceedance of

water quality criteria/objectives. The Permit implements regulations that require characterization of the waste and feasible compliance monitoring.

Given our arguments above, we respectfully request the State Water Board not mandate the Permit be revised to require monitoring at D-002.

5. Minimum Receiving Water Flow Relative to Cyanide and Diethyl phthalate Effluent Limitations: We understand that the minimum receiving water flows used to calculate effluent limitations must address the minimum flows in the Feather River as detailed in the State Water Board's Lower Yuba River Accord, more specifically, the "critical year" minimum flows. The draft Order provides clear direction that the effluent limitations, based on 1500 cubic feet per second (cfs) for the two constituents listed above, do not consider the critical year minimum flows, and are therefore inappropriate and must be deleted. Such a modification will provide for all final effluent limitations in the NPDES Permit to be based on a minimum receiving water flow of 1000 cfs.

Again, thank you for the opportunity to comment on the draft Order. If you have any questions regarding this Regional Water Board response, please contact Ken Landau at (916) 464-4726 or klandau@waterboards.ca.gov.



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Executive Officer

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Mr. William P. Lewis, Utilities Director, City of Yuba City
Ms. Elizabeth Miller Jennings, Esq., Office of Chief Counsel, State Water Board [via email]
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