

**Central Valley Regional Water Quality Control Board
Board Meeting – 10/11 December 2015**

**Response to Written Comments for
City of Galt
Wastewater Treatment Plant and Reclamation Facility
Tentative NPDES Permit Renewal (CA0081434)
Tentative Separate Waste Discharge Requirements
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 NPDES Permit renewal (for discharges to surface water) (NPDES Permit No. CA0081434), tentative separate Waste Discharge Requirements (for discharges to land), and tentative Time Schedule Order for the City of Galt (Discharger), Wastewater Treatment Plant and Reclamation Facility (Facility), Sacramento County.

The tentative orders were issued for a 30-day public comment period on 17 September 2015 with comments due by 19 October 2015. The Central Valley Water Board received public comments regarding the tentative orders by the due date from the Discharger and the Central Valley Clean Water Association (CVCWA). As discussed below, some changes were made to the proposed orders 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.

TENTATIVE NPDES PERMIT RENEWAL

City of Galt (Discharger)

Discharger NPDES Comment No. 1. Revise References to “Skunk Creek” to be “remnant channel of Skunk Creek”

The tentative NPDES Permit references the Discharger’s surface water discharge point as “Skunk Creek.” The Discharger commented that while the discharge channel was historically part of Skunk Creek, the main channel of Skunk Creek was re-routed prior to the construction of the Facility. Therefore, it is not accurate to refer to the channel that receives the Facility’s discharge as Skunk Creek, and it would be more accurate to refer to this as a “remnant channel of Skunk Creek.” The Discharger therefore requested that the Central Valley Water Board replace all references to “Skunk Creek” to say “remnant channel of Skunk Creek.”

Response. Central Valley Water Board staff concurs with the Discharger’s request to replace all references to “Skunk Creek” to say “remnant channel of Skunk Creek,” and the appropriate edits have been made to the proposed NPDES Permit.

Discharger NPDES Comment No. 2. Remove Annual Mass Limit for Mercury. Section VI.4.f. (page 5)

The Tentative NPDES Permit contains a total mercury mass limitation of 0.05 pounds/year, as a total annual mass discharge. The Discharger commented that there is no discussion in the Fact Sheet explaining why an effluent limitation for mercury is necessary. Further, fact sheets for NPDES permits must contain any calculation and necessary explanation of the derivation of effluent limitations required under section 122.44 of Title 40 of the Code of Federal Regulations. Additionally, the Discharger commented that, as documented in the Discharger’s Report of

Waste Discharge, there is no reasonable potential for the effluent to exceed any applicable water quality objectives for mercury. Therefore, the Discharger requests that the effluent limitation for total mercury be removed.

Response. Central Valley Water Board staff does not concur. The current USEPA recommended national ambient water quality criterion for protection of freshwater aquatic life, continuous concentration, for mercury is 0.77 µg/L (30-day average, chronic criteria). The California Toxics Rule (CTR) contains a human health criterion (based on a threshold dose level causing neurological effects in infants) of 0.050 µg/L for waters from which both water and aquatic organisms are consumed. In 40 C.F.R. part 131, USEPA acknowledges that the human health criterion may not be protective of some aquatic or endangered species and that “...*more stringent mercury limits may be determined and implemented through use of the State’s narrative criterion.*” In the CTR, USEPA reserved the mercury criteria for freshwater and aquatic life and may adopt new criteria at a later date. Furthermore, mercury bioaccumulates in fish tissue and Laguna Creek is tributary to the Sacramento – San Joaquin Delta, which is impaired for mercury, with no major dams below the discharge location. Therefore, the discharge of mercury to the receiving water may contribute to exceedances of the Basin Plan’s narrative toxicity objective and impact beneficial uses. The proposed NPDES Permit carries forward a performance-based loading limit from the previous NPDES permit to control the discharge of mercury. The Fact Sheet has been updated to reflect these findings.

Discharger NPDES Comment No. 3. Clarify Calculation and Reporting Requirements for Receiving Water Dissolved Oxygen. Section (pages 17 and E-18)

The Tentative NPDES Permit includes three surface water limits for Dissolved Oxygen (DO), requiring that the Discharger’s effluent not cause the following in Laguna Creek:

- a. *The monthly median of the mean daily dissolved oxygen concentration to fall below 85 percent of saturation in the main water mass;*
- b. *The 95 percentile dissolved oxygen concentration to fall below 75 percent of saturation; nor*
- c. *The dissolved oxygen concentration to be reduced below 7.0 mg/L at any time.*

The Discharger commented that it appears that compliance with parts “a” and “b” can only be determined if DO receiving water monitoring is conducted more frequently than the required weekly minimum. The Discharger is requesting that the frequency required for determining compliance with parts “a” and “b” be more specifically defined so it is clear when compliance should be determined. Generally, a minimum of six (6) data points is considered adequate for a statistically meaningful result.

Response. Central Valley Water Board staff concurs in part. The proposed NPDES Permit has been updated as shown in underline/strikeout format below:

- Limitations and Discharge Requirements Section VII.H. Page 17

Weekly receiving water monitoring data, measured at monitoring locations RSW-001 and RSW-002, will be used to determine compliance with part “c” of the dissolved oxygen receiving water limitation to ensure the discharge does not cause the dissolved oxygen concentrations in Laguna Creek to be reduced below 7.0 mg/L at any time. However, should more frequent dissolved oxygen and

temperature receiving water monitoring be conducted to result in a minimum of six data points, Central Valley Water Board staff may evaluate compliance with parts “a” and “b”.

Discharger NPDES Comment No. 4. Allow the Use of a Hand-held Meter for Receiving Water Turbidity Monitoring. Attachment E, Section VIII.A.1 Table E-5.

General Monitoring Provision I.C of the Tentative NPDES Permit allows for the use of field measurements for certain parameters, including dissolved oxygen, pH, temperature and turbidity. The receiving water monitoring requirements detailed in Table E-5 include Footnote 1, which specifically allows for use of a hand-held meter. References to the footnote are included for dissolved oxygen, pH, and temperature, but not for turbidity. The Discharger has requests that a hand-held meter also be allowed for measuring receiving water turbidity for consistency with General Monitoring Provision I.C and the other parameters.

Response. Central Valley Water Board staff concurs. The proposed permit has been modified accordingly to reflect the allowance of hand-held meters in measuring receiving water turbidity.

Discharger NPDES Comment No. 5. Remove the Reference to Priority Pollutant Monitoring Requirements from the Receiving Water Reporting Requirements. Attachment E, Section VIII.A.1 Table E-5.

Footnote 2 to Table E-5 in the tentative NPDES Permit provides direction regarding the analytical methods to be used by the Discharger when monitoring priority pollutants. The Discharger has commented that the tentative NPDES Permit does not require regular priority pollutant monitoring in the receiving water in Table E-5. Therefore the Discharger has requested that the footnote be modified to remove the language referring to priority pollutant monitoring.

Response. Central Valley Water Board staff concurs. Footnote 2 to Table E-5 of the proposed permit has been modified to remove language referring to priority pollutant monitoring. See changes in underline/strikeout format below:

² Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136; ~~for priority pollutants the methods must meet the lowest MLs specified in Appendix 4 of the SIP, where no methods are specified for a given pollutant, or~~ by methods approved by the Central Valley Water Board or the State Water Board.

Discharger NPDES Comment No. 6. Revise Monitoring Requirement for Receiving Water pH and Temperature. Attachment E, Section VIII.A.1 Table E-5.

Footnote 3 to Table E-5 in the tentative NPDES Permit, which contains receiving water monitoring requirements, requires that pH and temperature monitoring of the receiving water “shall be determined at the time of sample collection for effluent ammonia.” The Discharger commented that effluent ammonia samples are collected as grab samples, as are the receiving water samples for pH and ammonia, and the two sampling locations are about three-quarters of a mile apart from each other. Therefore, sampling at the same time is not practical, and the

Discharger has requested that the footnote be revised to require that the samples for receiving water pH and temperature be collected on the same day as effluent ammonia is sampled.

Response. Central Valley Water Board staff concurs. See changes in underline/strikeout format below:

³ pH and temperature shall be determined on the same day as ~~at the time of~~ sample collection for effluent ammonia.

Discharger NPDES Comment No. 7. Revise Filtration and UV System Monitoring Requirements to Reflect Current UV System. Attachment E Section IX.B.1

The tentative Permit contains filtration and ultraviolet (UV) light disinfection system monitoring requirements in Section IX.B of the Monitoring and Reporting Program (Attachment E). The Discharger submitted multiple comments in regards to this section of the tentative permit as follows:

- a. The tentative NPDES Permit includes a new monitoring location "FIL-001," defined in Table E-1 (page E-3) as "[a] location where a representative sample can be collected downstream of the filtration system and upstream of the ultraviolet light (UV) disinfection system." The filtration system and UV monitoring requirements in Table E-7 (page E-10) of the tentative NPDES Permit require only turbidity to be monitored at this location. Additional filtration and UV parameters are required to be monitored at "UVS-001," defined as "[a] location where a representative sample can be collected immediately downstream of the ultraviolet light (UV) disinfection system."

The Discharger commented that both flow and UV Transmittance are monitored upstream of the UV system. Therefore, the Discharger has requested that the monitoring location for Flow and UV transmittance in Table E-7 be revised to FIL-001.

- b. Footnote 1 to Table E-7 requires additional reporting activities if any continuous analyzer "fails to provide continuous monitoring for more than two hours and influent and/or effluent from the disinfection process is not diverted for retreatment..." In addition to diverting for retreatment, the Discharger has the ability to divert secondary treated effluent for irrigation reuse. Therefore, the Discharger has requested that "or irrigation reuse" be added to this footnote.
- c. The Discharger requested that footnotes be added to Table E-7 to clarify the specific reporting requirements for Number of UV banks in operation and UV Transmittance, which are monitored continuously. For the Number of UV banks in operation, the Discharger suggests that the daily minimum and daily maximum values be reported. For UV transmittance, the Discharger suggests that the minimum hourly average and daily average results be provided (the same as for UV dose).
- d. The requirements for reporting UV dose data are presented in footnote 3 to Table E-7 are unclear. The footnote currently reads as follows:

Report daily minimum hourly average UV dose and daily average UV dose. The minimum hourly average dose shall consist of lowest hourly average dose provided in any channel that had at least one bank of lamps operating during the hour interval. For channels that did not operate for the entire hour interval, the dose will be averaged based on the actual operation time.

The Discharger commented that it is not clear from this footnote whether the hourly average is to be calculated for each 60 minute period or whether it is meant to be calculated for each hour of the day (e.g. 1:00 PM to 1:59 PM). Thus, the Discharger has requested that the permit be revised to provide more direction on the calculation procedure. Moreover, it is the Discharger's preference that the dose be calculated for each hour of the day (e.g. 1:00 PM to 1:59 PM) versus calculating the minimum dose for each 60 minute period. This same clarification would be necessary for the UV Transmittance if the Central Valley Water Board accepts the reporting requirement addition suggested above.

- e. The Discharger commented that reporting UV dose for each channel, as required in Table E-7, is not feasible with the Discharger's current control system. For the Discharger to report UV dose per channel would require a major programming change to the Discharger's UV reporting system. Instead, UV dose for the whole UV system is readily available with the Discharger's current reporting setup. For this reason, the Discharger has requested that footnote 3 also be modified to require reporting of UV dose for the whole system and not per channel.
- f. The Discharger commented that the reference to footnote 3 (footnote 5 with the added footnotes described above) is inconsistent with other permit footnotes in its current location and would be consistent with the references to the other footnotes if moved to the Minimum Sampling Frequency column of the table.
- g. The Discharger commented that the introductory text to Table E-7 only references "UVS-001" but should also reference "FIL-001."
- h. The Discharger has the ability to divert flows to the Effluent Reservoir downstream of the UV system in the event that the UV system is (or is suspected) to not be operating properly. For clarity, the Discharger requests that the footnotes in Table E-7 clearly state that the reported information not include data collected during periods when effluent is not discharged to surface waters.

Response. Central Valley Water Board staff concurs with the Discharger's requested changes to Table E-7 of the Monitoring and Reporting Program (Attachment E), with the exception of the changes regarding the reporting of UV dose for each channel. It is important that each channel maintain sufficient UV dose for adequate disinfection, therefore, the proposed NPDES permit requires the calculation of UV dose for each channel. The UV dose is calculated as a function of flow, UV transmittance, and UV power. A flow meter is required in each channel in order to calculate UV dose for each channel. The current UV system at the Facility only measures the flow entering the UV system, not for each channel. If the flow split between channels is not even it would result in an underestimation of the UV dose in one channel, which could result in inadequate disinfection. As an alternative to installing flow meters to measure flow through each channel, the Discharger can conduct a UV flow study to estimate the flow split through each channel. Upon Executive Officer approval, the Discharger may calculate the UV dose for each channel based on the estimated flow split to meet this reporting requirement. See changes to the Filtration System and UV Disinfection monitoring requirements in underline/strikeout format below:

- a. When discharging to Laguna Creek, the Discharger shall monitor the filtration system and the UV disinfection system at Monitoring Locations FIL-001 and UVS-001 as follows:

Table E-7. Filtration System and UV Disinfection System Monitoring Requirements

Parameter	Units	Sample Type	Monitoring Location	Minimum Sampling Frequency
Flow	MGD	Meter	UVS-001 <u>FIL-001</u>	Continuous ¹
Turbidity	NTU	Meter	FIL-001	Continuous ^{1, 2}
Number of UV banks in operation	Number	Observation	N/A	Continuous ^{1,3}
UV Transmittance	Percent (%)	Meter	UVS-001 <u>FIL-001</u>	Continuous ^{1,4}
UV Dose ⁵	mJ/cm ²	Calculated	N/A	Continuous ^{1,5}
Total Coliform Organisms	MPN/100mL	Grab	UVS-001	2/Week

- ¹ For continuous analyzers, the Discharger shall report documented routine meter maintenance activities including date, time of day, and duration, in which the analyzer(s) is not in operation. If analyzer(s) fail to provide continuous monitoring for more than two hours and influent and/or effluent from the disinfection process is not diverted for retreatment or irrigation reuse, the Discharger shall obtain and report hourly manual and/or grab sample results. The Discharger shall not decrease power settings or reduce the number of UV lamp banks in operation while the continuous analyzers are out of service and water is being disinfected
- ² Report daily average and maximum turbidity.
- ³ Report daily minimum and daily maximum number of UV banks in operation.
- ⁴ Report daily minimum hourly average (e.g., 1:00 PM to 1:59 PM) UV transmittance and daily average UV transmittance. The minimum hourly average transmittance shall consist of lowest average transmittance recorded over an hour of day when flow is being discharged to Laguna Creek. If the system does not operate for an entire daily hour interval or if effluent flow is not discharged to Laguna Creek for the entire hour, the transmittance will be averaged based on the actual operation time when discharges to Laguna Creek occurred during that hour of the day.
- ⁵ Report daily minimum hourly average UV dose and daily average UV dose. The minimum hourly average dose shall consist of lowest hourly average dose provided in any channel that had at least one bank of lamps operating during the hour interval. For channels that did not operate for the entire hour interval or when effluent flow is not discharged to Laguna Creek for the entire hour, the dose will be averaged based on the actual operation time when discharges to Laguna Creek occurred. **Within in 6 months of the effective date of this Order**, the Discharger shall install flow monitoring devices in each channel to allow the calculation of UV dose for each channel. The reporting during this initial 6 month period shall be the UV dose for entire UV system. As an alternative to the installation of flow monitoring devices, the Discharger may conduct a flow study to estimate the flow split between channels.

Upon Executive Officer approval, the Discharger may calculate the UV dose for each channel based on the estimated flow split to meet this reporting requirement.

Discharger NPDES Comment No.8. Revise Figures and References to Reflect Conversion of Field 1 to a Rifle Range. Attachment B.

The Discharger commented that since completing the ROWD, the Discharger has converted Zone 1 of Field A to a rifle range for the City of Galt's police department. Therefore, the site map in Attachment B of the tentative NPDES Permit needs to be updated to reflect this change. In addition, since Zone 1 of Field A has been converted to a rifle range, the Reuse Area now totals 164 acres, not 172 acres. Therefore, references in the Tentative NPDES Permit to the "172 acres" will need to be revised to be accurate.

Response. Central Valley Water Board staff concurs with the Discharger's requested updates to the Site Map and reference to Reuse Area acreage totals. A revised site location map has been included in Attachment B of the proposed Permit that reflects the construction of the rifle range. In addition, the reference to the 172 acres found on page F-5 of the proposed Permit has been revised to 164 acres.

Discharger NPDES Comment No. 9. Clarify the City's Exemption to the Current NPDES Industrial Storm Water Program. Attachment F Section III.C.9.

The tentative NPDES Permit references the State Water Board Water Quality Order No. 97-03-DWQ, NPDES General Permit No. CAS000001, which was recently, superseded by State Water Board Water Quality Order No. 2014 0057 DWQ. In July 2015, the Discharger submitted a No Discharge Technical Report to the Central Valley Water Board, documenting that storm water from the treatment plant area is diverted to, and contained within, the Discharger's storage facilities. Accordingly, the State Water Resources Control Board issued a Notice of Non-Applicability to the Discharger, documenting the Discharger's exemption for the new permit. The Discharger commented that the Storm Water Requirements, Section III.C.9 of Attachment F (Fact Sheet), should be revised accordingly.

Response. Central Valley Water Board staff concurs with the Discharger's requested revisions to the Storm Water Requirements, Section III.C.9 of Attachment F (Fact Sheet). See changes in underline/strikeout format below:

- 9. Storm Water Requirements.** USEPA promulgated federal regulations for storm water on 16 November 1990 in 40 C.F.R. parts 122, 123, and 124. The NPDES Industrial Storm Water Program regulates storm water discharges from wastewater treatment facilities. Wastewater treatment plants are applicable industries under the storm water program and are obligated to comply with the federal regulations. The State Water Resources Control Board Water Quality Order 2014-0057-DWQ, General Permit for Storm Water Discharges Associated with Industrial Activities (NPDES General Permit No. CAS000001), does not require facilities to obtain coverage if discharges of storm water are regulated under another individual or general NPDES permit adopted by the State Water Board or Regional Water Board (Finding I.B.20). All storm water from the Facility area is diverted to, and contained within, the Discharger's storage facilities. ~~The State Water Board Water Quality Order No. 97-032014-0057-DWQ, NPDES General Permit No. CAS000001, Waste~~

Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities, does not require facilities to obtain coverage if storm water is captured and treated and/or disposed of with the Facility's NPDES permitted process wastewater or if storm water is disposed of to evaporation ponds, percolation ponds, or combined sewer systems. The Discharger captures and treats all storm water that falls on-site. In July 2015 the Discharger submitted a No Discharge Technical Report to the Central Valley Water Board. Accordingly, the State Water Board issued a Notice of Non-Applicability (NONA ID 5S34NNA000057) to the Discharger, documenting the Discharger's exemption from Order 2014-0057-DWQ. Therefore, coverage under the General Storm Water Permit is not required.

Minor Clarifications and Edits.

The Discharger requested other minor clarifications and editorial changes to the tentative NPDES Permit. Unless otherwise indicated in the table below, Central Valley Water Board staff concurs with the Discharger's suggested changes and has modified the proposed NPDES Permit accordingly. Editorial and clarifying edits made to the proposed NPDES Permit can be seen in the following table.

Discharger's Factual Comments on the Tentative Permit	
Location	Comment
Page 4, Discharge Prohibitions (III), Item A	Section references appear to be incorrect: "described in the Fact Sheet in sections II.BA and II.E.2..."
Page 7, Receiving Water Limitations (V), Surface Water Limitations (A), Items 10-17	The numbering for the "Radioactivity" section is missing. This should be Item 10, which will also increase the numbers of the subsequent items by one.
Monitoring and Reporting Requirements (Attachment E, Sections I through IX)	
Page E-3, Monitoring Locations (II), Table E-1	Spaces were left in the tentative permit for the coordinates of the effluent and receiving water sampling locations. These are as follows: <ul style="list-style-type: none"> • EFF-001: 38°17'56 N, 121°19'46" W • RSW-001: 38°18'37 N, 121°19'41" W
Page E-5, Effluent Monitoring Requirements (IV), Monitoring Location EFF-001 (A), Item 1, Table E-3	The Discharger noted that a requirement to calculate an annual load for mercury is not listed in Table E-3 (although the City is required to calculate this per Section VII.B of the permit, on page 15). For clarification, the City requests a requirement to report mercury "1/Year" in "lbs/year" be included in Table E-3. (Similar to the requirements for BOD, TSS and Ammonia loads.)
	The reference in Footnote 8 to "methyl mercury" is not relevant and can be removed: "with a reporting limit of 0.05 ng/L for methyl mercury and 0.5 ng/L for mercury."
	Footnote 11 references "total coliform organisms," which is not relevant, so the footnote can be removed.
Page E-14, Other Monitoring Requirements (IX), Effluent and Receiving Water Characterization (C), Item 3, Table E-8	The City requests that the sample type for effluent hardness monitoring as part of the Effluent and Receiving Water Characterization Study be a "24-hour composite" to be consistent with routine effluent monitoring specified in Table E-3.

Page E-17, Reporting Requirements (X), SMRs (B), Items 7.f and 7.g	The calculation procedures specified for complying with turbidity and temperature receiving water limitations imply that these parameters only increase from upstream to downstream. It would be more accurate to require calculation of the “change in” turbidity or temperature, rather than assuming an increase.
Fact Sheet (Attachment F)	
Page F-2, List of Tables	The list of tables includes a few bookmark errors that need to be corrected.
Page F-3, Table F-1	“Utlilities Manager” should be “Utilities Manager” under Facility Contact and Authorized Person.
Page F-5, 4 th full paragraph	“...surface water under <u>this Order a NPDES permit...</u> ”
Pages F-24 and F-25, Section IV.C.3.a.i.(a); and Page F-34, Section IV.C.3.b.i.(a)	These sections include references to the “San Joaquin River” as the City’s receiving water. The references should instead be to the “Cosumnes River,” which is the City’s ultimate receiving water.
Page F-46, Section IV.C.5.b	This section discusses the rationale for chronic toxicity requirements and states that Special Provision VI.C.2.a requires the City to submit a TRE Workplan. However, the referenced provision does not include a requirement for a new TRE Workplan but documents that the City already has an approved workplan (page E-8). This reference in the Fact Sheet should be revised to reference the approved workplan.
Page F-59, Rationale for Monitoring and Reporting Requirements (VII), Other Monitoring Requirements (E), Item 3	<p>General Monitoring Provision Item G includes a new requirement that the City analyze any sample provided by USEPA as part of the Discharge Monitoring Quality Assurance (DMQA) program. Associated Fact Sheet language (page F-59) discusses an annual “DMR-QA Study Program,” which appears to be the same program, and indicates that results must be submitted annually. However, the corresponding text in the Monitoring and Reporting Program does not indicate an annual requirement. The City requests that the Fact Sheet language be revised for consistency with the monitoring requirement.</p> <p>Response: The Fact Sheet language is correct. The annual reporting requirement was missing from the Monitoring and Reporting Program. The proposed NPDES has been modified to include the annual reporting in accordance with the DMR-QA program</p>
Page F-59, Public Participation (VIII), Item A	“Notification was provided through the following: <u>publication in The Galt Herald on September 30, 2015.</u> ”

Central Valley Clean Water Association (CVCWA)

CVCWA NPDES Comment No. 1.

The Tentative NPDES Permit contains a total mercury mass limitation of 0.05 pounds/year, as a total annual mass discharge. CVCWA commented that there is no discussion in the Fact Sheet explaining why an effluent limitation for mercury is necessary. Further, fact sheets for NPDES permits must contain any calculation and necessary explanation of the derivation of effluent limitations required under section 122.44 of Title 40 of the Code of Federal Regulations. Additionally, CVCWA commented that, as documented in the Discharger’s Report of Waste Discharge, there is no reasonable potential for the effluent to exceed any applicable water quality objectives for mercury. Therefore, CVCWA requests that the effluent limitation for total mercury be removed.

Response. Central Valley Water Board staff does not concur. See response to Discharger NPDES Comment No. 2.

CVCWA NPDES Comment No. 2. Reporting Protocols for Receiving Water Monitoring Requirements. Attachment E Section VIII.A.1, Table E-5 (page E-9).

Table E-5 in section VIII.A.1 of Attachment E in the tentative Permit contains a footnote (footnote 2) that includes requirements relating to monitoring for priority pollutants. CVCWA commented that table E-5 does not include monitoring requirements for priority pollutants, and therefore, footnote 2 should be removed from the final Order.

Response. Central Valley Water Board staff concurs with CVCWA's comment to remove Footnote 2 from Table E-5. See Discharger NPDES Comment No. 5 for changes in underline/strike out format.

TENTATIVE TIME SCHEDULE ORDER

City of Galt (Discharger)

Discharger TSO Comment No. 1. Factual Comments on Tentative Time Schedule Order.

The Discharger commented that they have identified two minor factual inconsistencies/typographical corrections that should be incorporated into the proposed TSO, as summarized in the table below.

Discharger's Factual Comments on Tentative TSO	
Location	Comment
Page 2	The second sentence of the fourth paragraph: "...similar to <u>the</u> new Golden Heights well..."
Page 3	The Discharger requests the following revisions to the last sentence of the first paragraph on Page 3, for clarity: "These monitoring facilities and major new construction of a third oxidation ditch/clarifier treatment train, as well as, are currently under construction, along with modifications of the existing aerations equipment in the Facility's two existing oxidation ditches are currently under construction... "

Response. Central Valley Water Board staff concurs with the Discharger's comment. The factual inconsistencies and typographical errors have been corrected in the proposed TSO.

TENTATIVE WASTE DISCHARGE REQUIREMENTS (WDR's)

City of Galt (Discharger)

Discharger WDR Comment No. 1. Provide Additional Time to Comply with Reuse Area Storm water Runoff Containment Requirements and Include a Provision for an Optional Group Pathogen Study. Limitations and Discharge Requirements, Section VI.C.3.d.viii.

The Discharger land applies “Undisinfected Secondary” recycled water and biosolids to agricultural fields surrounding the Facility (the “Reuse Area”) in accordance with California Code of Regulation Title 22 requirements. Section VI.C.3.d.viii of the Limitations and Discharge Requirements portion of the tentative WDR's contains requirements prohibiting the discharge of storm water runoff from the Discharger's Reuse Area to off-site land or surface water drainage courses. Compliance with the prohibition on storm water runoff discharge is required by 1 December 2020, and interim storm water runoff discharge requirements are prescribed in Section VI.C.3.d.ix of the tentative WDR's. The Discharger has commented that additional time is needed to evaluate and implement a preferred compliance strategy for the containment of storm water runoff. Specifically, the Discharger has recently proposed a potential group study to evaluate the potential pathogen risks associated with potential human exposure to storm water runoff from agricultural areas where “Undisinfected Secondary” recycled water is applied for crop irrigation to both the CVCWA and other potentially impacted parties. Based on the feedback received, it appears that there is significant support for such an effort. Therefore, the Discharger has requested that the proposed WDR's allow an additional five years (1 January 2025) for compliance with the storm water runoff prohibition, in order to provide the Discharger sufficient time to organize and conduct a Pathogen Risk Study along with other Central Valley dischargers and CVCWA.

Response. Central Valley Water Board staff concurs with the Discharger's request for additional time to comply with the storm water runoff prohibition prescribed in Section VI.C.3.d.viii of the tentative WDR's. Furthermore, staff concurs with the request to include a Pathogen Risk Study requirement in the proposed WDRs. A schedule to comply with the storm water runoff prohibition has been added in Section VI.C.3.b of the proposed WDR's. The Pathogen Risk Study and the Discharger's requested implementation schedule have been incorporated into the schedule for compliance.

Section VI.C.3.b (Other Special Provisions)

- a. **Storm Water Runoff of Land Application Area.** This Order includes Discharge Prohibition III.F that prohibits the discharge of storm water runoff containing waste pollutants from the recycling of undisinfected secondary domestic wastewater to off-site land or surface water drainage courses. Because undisinfected secondary effluent is applied to the Land Application Area, this prohibits any discharge of storm water from the Land Application Area due to concerns of pathogens. Winter season storm water is currently collected at the earthen ditches and conveyed to the reservoirs or is discharged to surface water. In order to comply with Discharge Prohibition III.F it will be necessary for the Discharger to construct additional storage facilities that will enable the Facility to contain the appropriate volume of water that a large winter storm is capable of

producing. The Discharger has requested to first conduct a pathogen risk study to determine if there may be best management practices that could be implemented to ensure the discharge of storm water run-off from the Land Application Area does not contain waste pollutants.

This Order allows the Discharger until **1 January 2025** to comply with Discharge Prohibition III.F. The Discharger shall comply with the following:

- i. **Interim Discharge Specification.** To minimize impacts to surface water there shall be a minimum of 30-days since the last application of wastewater and/or biosolids on the Land Application Area prior to the discharge of storm water runoff from the Land Application Area to off-site land or surface water drainage courses.
- ii. **Pathogen Risk Study.** The Discharger shall conduct a Pathogen Risk Study to 1) characterize the potential human health risks associated with potential exposure to pathogens in stormwater runoff from pasture land irrigated with “undisinfected secondary” effluent, and 2) define and evaluate appropriate control strategies (best management practices) for minimizing, to the extent practicable, pathogenic organisms from migrating off the Land Application Area site with stormwater runoff. The Pathogen Risk Study can either be an individual study or group study with other dischargers and interested parties. The Pathogen Risk Study must comply with the following schedule:

<u>Task</u>	<u>Compliance Date</u>
<u>Submit Work Plan</u>	<u>1 July 2017</u>
<u>Begin Study</u>	<u>1 October 2017</u>
<u>Complete Study</u>	<u>1 October 2019</u>
<u>Submit Study Reports</u>	<u>1 April 2020</u>

- iii. **Implementation.** The Discharger shall comply with the following schedule to implement best management practices identified in the Pathogen Risk Study to comply with Discharge Prohibition III.F.

<u>Task</u>	<u>Compliance Date</u>
<u>Submit Work Plan</u>	<u>1 October 2020</u>
<u>Complete Construction</u>	<u>1 October 2024</u>
<u>Progress Reports</u>	<u>1 October, annually beginning 1 October 2021</u>
<u>Final Compliance</u>	<u>1 January 2025</u>

Discharger WDR Comment No. 2. Clarify that the Discharge Prohibition III.C (Regarding Discharges of “Waste” to Surface Water) Does Not Apply to Storm Water Discharges. Limitations and Discharge Requirements, Section III.C.

Discharge Prohibition III.C of the tentative WDR’s prohibits any discharge of waste to surface water or surface water drainage course. The Discharger commented requesting that Central Valley Water Board staff provide further explanation or qualification to ensure that the Discharger is not in violation of a discharge prohibition because of storm water runoff from the agricultural reuse fields.

Response. Central Valley Water Board staff concurs with the Discharger’s request for language clarifying that the definition of discharges of “waste” to surface waters does not include storm water runoff. Discharge Prohibition III.C has been modified to only apply to the direct discharge of wastes to surface waters or surface water drainage courses. In addition, for clarifying purposes the provision in Section VI.C.3.d.viii of the tentative WDR’s has been moved to a new Discharge Prohibition III.F. This new discharge prohibition relates specifically to storm water runoff from the Land Application Area. See changes in underline/strikeout format below:

Discharge Prohibition III.C

- C. Except as allowed by Order R5-2015-XXXX (NPDES No. CA0081434), the direct discharge of wastes to surface waters or surface water drainage courses is prohibited.

Discharge Prohibition III.F

- F. The discharge of storm water runoff containing waste pollutants from the recycling of undisinfecting secondary domestic wastewater to off-site land or surface water drainage courses is prohibited.

Discharger WDR Comment No. 3. Remove Total Nitrogen Groundwater Limitation. Limitations and Discharge Requirements, Section V.A

Table 8 of Section V.A of the tentative WDRs proposes a groundwater limitation of 10 mg/L for total nitrogen. The Discharger commented that the proposed groundwater limitation of 10 mg/L for total nitrogen is in addition to groundwater limitation of 10 mg/L for nitrate (as N). The Discharger further commented that the proposed groundwater limitation of 10 mg/L for total nitrogen is inappropriate for several reasons:

- There is no water quality objective for total nitrogen
- There is a primary maximum contaminant level (MCL) for nitrate, but not for total nitrogen.
- Total nitrogen is also different and distinguishable from nitrate, and setting a groundwater limit for total nitrogen will not necessarily translate to obtaining the target nitrate levels.
- There are no findings in the Tentative WDRs that provide any reasoning or explanation why a total nitrogen effluent limit will result in maintaining groundwater quality at the Primary MCL of 10 mg/L for nitrate.

Therefore, the Discharger suggests that the proposed limit is not consistent with any adopted water quality objective or known criteria, and requests that Central Valley Water Board staff remove the groundwater limitation for total nitrogen from the proposed WDR's.

Response. Central Valley Water Board staff concurs with the Discharger's request to remove the groundwater limitation of 10 mg/L for total nitrogen and have modified the tentative WDR's accordingly.

Discharger WDR Comment No. 4. Remove the Requirement for Calculating Adjusted Cumulative Pollutant Loading Rates. Section A.3.d

Land Discharge Specification A.3.d of the Tentative WDRs requires the City to calculate an adjusted cumulative loading rate for metals in the biosolids, based on the USEPA's Cumulative Pollutant Loading Rates (CPLRs) and "Actual Site Background Soil concentrations." The Discharger commented that the tentative WDR's do not require soil monitoring, so the Discharger would not be routinely determining soil concentrations of the parameters of interest. In addition, the Discharger commented that USEPA requirements from which the CPLRs are taken (40 CFR Part 503) do not require ongoing soil monitoring but only that cumulative loadings since 1993 be taken into account. The Discharger has been in control of the Reuse Area since before 1993 and has routinely monitored biosolids and recycled water loadings of metals since 2004. As documented in the ROWD, cumulative metals loadings that have occurred since 2004 are far below the applicable limitations. For these reasons, the Discharger requested that the requirement to calculate and comply with adjusted cumulative loading rates be removed from the permit.

Response. Central Valley Water Board staff concurs. Based on historical data the cumulative field loadings are well below the applicable limitations. The proposed WDRs have been modified to be consistent with the federal regulations. See changes in underline/strikeout format below:

On page 7 of Tentative WDR's:

d. Biosolids shall not be applied in amounts exceeding the ~~adjusted cumulative pollutant loading rate (BC) as defined below:~~

~~BC=CR-1.8(BS), where:~~

~~BC = Adjusted Cumulative Loading Rate (lbs/ac)~~

~~CR = 40 CFR Part 50. Cumulative Pollutant Loading Rate (lbs/ac)~~

~~BS = Actual Site Background Soil concentration (mg/Kg)~~

~~The values for (CR) for each metal as are given in Table 6 below:~~

On page E-12 of Tentative WDR's:

i. ~~Cumulative Adjusted Loading Rates~~ shall be calculated for arsenic, cadmium, copper, lead, mercury, nickel, selenium, and zinc using the equation described in Section IV.A.d of the Limitations and Discharge Requirements. The cumulative adjusted loading rates for the metals described above shall be reported in the annual report with supporting calculations.

Discharger WDR Comment No. 5. Revise Deadline in the tentative WDR's for Annual Biosolids Report. Limitations and Discharge Requirements Section VI.C.3.b.ii.

Special Provision C.3.b.ii of the Tentative WDRs has a February 1 deadline for a biosolids annual report. The Discharger commented that the deadline for the biosolids annual report required by USEPA (which contains all of the information required by the annual report required by the permit) is February 19. Therefore, the Discharger requested that the deadline for the annual biosolids report be revised to be consistent with the USEPA deadline.

Response. Central Valley Water Board staff concurs and has modified the proposed WDR's accordingly.

Discharger WDR Comment No. 6. Remove Irrelevant Definitions and Related References from the WDRs. Attachment A.

Attachment A of the tentative WDR's contains definitions of terms used throughout the document. The Discharger commented that Attachment A of the Tentative WDR's includes a number of terms that are not referenced in the permit and not relevant. These include "average weekly effluent limit," "coefficient of variation," "instantaneous maximum effluent limitation," "instantaneous minimum effluent limitation," "minimum level," "persistent," "pollution prevention," and "satellite collection system." For clarity, the Discharger requested that these terms and their definitions be removed from Attachment A, as well as subsequent references to minimum levels. The Discharger also commented that page E-8 in Section VIII.A.5 of Attachment E contains references to an AWEL (Average Weekly Effluent Limitation) and "weekly averages" while the tentative WDR's do not contain any AWEL's, and the references should be removed.

Response. Central Valley Water Board staff concurs and has modified the proposed WDR's accordingly.

Discharger WDR Comment No. 7. Remove References in the WDR's to "SIP," "Priority Pollutants," and the WDR's as an "NPDES Permit"

Attachment A of the tentative WDR's contains definitions of terms used throughout the document. The Discharger commented that the definition of "Reporting Level" in Attachment A of the Tentative WDRs refers to the "SIP," as do several footnotes in the Monitoring and Reporting Program (Attachment E). The "SIP," the State Water Resources Control Board's 2005 *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, is relevant only to surface water discharges. The SIP is not relevant to land discharges and should thus not be referenced in the Tentative WDR's. Therefore, the Discharger requested that that references to the "SIP" be removed, including revising the definition of "Reporting Level." The definition of "Minimum Level" in the Tentative WDR's (which is a term used in the SIP) could be revised to reflect a definition for "Reporting Level" that is not tied to the SIP by replacing "ML" with "RL", and thus the definition for the Reporting Level (RL) can then be removed.

The Discharger also commented that the Tentative WDR's include references in Attachments E and F to "priority pollutants" and "priority toxic pollutants," which are relevant to NPDES requirements only. In addition, Attachment F includes multiple references to the WDR's as an "NPDES Permit," which it is not. These references to NPDES Permit are found specifically on pages 16, 19, and 21. The Discharger also requested that references to these terms that are not applicable to State regulations be removed from the WDR's for clarity.

Response. Central Valley Water Board staff concurs and has modified the proposed WDR's accordingly.

Discharger WDR Comment No. 8. Revise Figures and References to Reflect Conversion of Field 1 to a Rifle Range and Discontinued Use of MW-6. Attachment B

The Discharger commented that since completing the ROWD, the Discharger has converted Zone 1 of Field A to a rifle range for the City of Galt's police department. Therefore, the site map in the WDRs needs to be updated to reflect this change. A revised site location map and a revised irrigation facilities layout were attached to the Discharger's comment letter for inclusion, as appropriate. The revised Irrigation Facilities Layout also no longer shows MW-6, which is not mentioned in the permit and no longer part of the Discharger's groundwater monitoring network.

The Discharger also commented that since Zone 1 of Field A has been converted to a rifle range, the Reuse Area now totals 164 acres, not 172 acres. Therefore, references in the permits to the "172 acres" will need to be revised to be accurate. In addition, the discussion in the Fact Sheet of the Tentative WDRs of the firing range as being planned need to be revised. References to the "172 acres" are found on pages 4, 5, 7 of the Fact Sheet of the Tentative WDRs. The discussion on page 4 of the Fact Sheet of the Tentative WDRs also requires other related revisions to be accurate.

Response. Central Valley Water Board staff concurs with the Discharger's request to revise the site map and references to the Discharger's recent completion of conversion of Field 1 to a rifle range. The site map provided by the Discharger has been included in the proposed WDR's, and all associated references to the total area of the Reuse Area have been updated as per the Discharger's specifications.

Discharger WDR Comment No. 9. Revise Biosolids Sampling Location in the WDR's. Attachment E in Section VII.A.1.

Footnote 1 to Table E-6 in Section VII.A.1.a of Attachment E of the tentative WDR's contains biosolids monitoring requirements, and requires collection of a composite biosolids sample "during the hours of biosolids wasting... and in accordance with USEPA's POTW Biosolids Sampling and Analysis Guidance Document..." The Discharger commented that they stabilize their biosolids in a sludge lagoon, followed by dewatering and drying on the Discharger's storage areas. Because changes in biosolids quality would occur between when the solids are wasted and when they are actually land applied, it would not be appropriate to collect samples from the solids while they are being wasted. Table 2.2 of the referenced USEPA guidance document describes appropriate sampling points for different biosolids processes and indicates that sampling of biosolids dewatered in drying beds should be collected as samples collected from the center of four quarters of the bed. Therefore, the Discharger has requested that Central Valley Water Board staff revise footnote 1 to Table E-6 to be consistent with USEPA's guidance document.

Response. Central Valley Water Board staff concurs with the Discharger's request to revise footnote 1 to Table E-6 to be consistent with USEPA's guidance document. See changes in underline/strikeout format below:

1. A composite sample of biosolids shall be collected from each drying bed by dividing each bed into quarters and grabbing equal amounts of sample from the center of each quarter and then combining the grab samples, hourly during the hours of biosolids wasting over a 24-hour period and in accordance with U.S. EPA's POTW Biosolids Sampling and Analysis Guidance Document, August 1989, (or most recent edition).

Discharger WDR Comment No. 10. Reduce the Requirement to Provide Narrative Results and an Evaluation of Groundwater Limitation Compliance from Semi-Annually to Annually. Attachment E Section VIII.B.6 and Section VII.C.1.

The Tentative WDRs require that the semi-annual groundwater reports include “a narrative discussion of the analytical results for all groundwater locations monitored including spatial and temporal trends, with reference to summary data tables, graphs, and appended analytical reports (as applicable)” and a “comparison of monitoring data to the groundwater limitations and an explanation of any violation of those requirements.” The Discharger commented that this evaluation requires an outside consultant to perform, and the variations that occur on a semi-annual basis are not that significant. Therefore, the Discharger believes that an annual evaluation of the groundwater data is adequate to identify potential groundwater compliance issues, and requested that these two specific requirements be reduced from semi-annually to annually.

Response. Central Valley Water Board staff concurs with the Discharger’s request to reduce the requirement to provide narrative results and evaluation of groundwater limitation compliance from semi-annually to annually, and has modified the proposed WDR’s accordingly.

Discharger WDR Comment No. 11. Remove Skunk Creek as the Receiving Water

Table F-1 of Section I of Attachment F of the tentative WDR’s states that the Receiving Water is Laguna Creek, via Skunk Creek and that the Receiving Water Type is an “Inland surface water.” The Discharger commented that this table needs to be modified to reflect the receiving water “Underlying Groundwater.”

Response. Central Valley Water Board staff concurs and has modified the proposed WDR’s accordingly.

Discharger WDR Comment No. 12. Accurately Describe the Title 27 Exemption in the Tentative WDRs. Attachment F Section III.C.

Section III.C of Attachment F of the tentative WDRs describes the Central Valley Water Board’s finding regarding exemption of the Discharger’s land application facilities from requirements of the California Code of Regulations Title 27 (Title 27), which regulates hazardous waste discharges. The Discharger commented that the discussion presented regarding the Title 27 exemption for the Discharger’s storage reservoir and ponds and the biosolids application are not properly addressed. The Discharger made the following specific comments:

1. The tentative WDR’s state that storage of secondary treated effluent is exempt from Title 27 requirements under Section 20090(b) for “wastewater.” On 7 February 2012, the State Water Board amended Order WQ 2009-0005, *In the Matter of Own Motion Review of City of Lodi Waste Discharge Requirements and Master Reclamation Permit, Order No. R5-2007-0113 (Lodi Order)* to revise the application of the sewage exemption of Title 27 of the California Code of Regulations to clarify that facilities used to store treated wastewater and recycled water prior to disposal or reuse qualify for the unconditional portion of the sewage exemption Section 20090(a), provided that the storage facilities are: (1) used to store treated municipal wastewater prior to ultimate disposal or reuse; (2) do not receive any other wastes other than on-site storm water flows if authorized by the State Water Board or the applicable Regional Water Board;

and (3) under the control of the municipal treatment plant. The Discharger stated that storage ponds at the Facility meet all of these criteria. Therefore, the Discharger requested that the proposed WDR's be revised to reflect the fact that the storage ponds are unconditionally exempt from Title 27 per Section 20090(a).

2. The tentative WDRs state that the Discharger's disposal of biosolids (sludge) "meets the preconditions to qualify for exemption from Title 27" requirements because the groundwater quality associated with this practice is in compliance with the Basin Plan. The Discharger land applies dewatered Class B biosolids to selected agricultural fields between cropping cycles as a soil amendment. The use and disposal of biosolids comply with existing Federal and State laws and regulations, including permitting requirements and technical standards in Code of Federal Regulations (CFR) Part 503. The land application of biosolids on the Agricultural Fields as a soil amendment is exempt from Title 27 pursuant to Section 20090(f). Therefore, the Discharger requested that the proposed WDR's be revised to reflect the fact that the discharge of Class B biosolids to land is unconditionally exempt from Title 27 per Section 20090(f).

Response. Central Valley Water Board staff concurs and has modified the proposed WDR's accordingly.

Minor Clarifications and Edits.

The Discharger requested other minor clarifications and editorial changes to the proposed WDR's. Central Valley Water Board staff reviewed and agrees with the Discharger's suggested changes, and has modified the proposed WDR's accordingly. Editorial and clarifying edits made to the proposed WDR's can be seen in the following table.

Discharger's Factual Comments on Tentative WDRs	
Location	Comment
Page 1, Table 2	Assessor's Parcel Number for the Reuse Area was left blank in the tentative WDRs. The APN number is 148-0010-053.
Monitoring and Reporting Program (Attachment E)	
Page E-3, Reclamation Monitoring Requirements (V), Monitoring Locations REC-001 (A), Item 1	Reference to "biosolids" is not relevant for sampling of the irrigation water and can be removed for clarity: "Sampling is not required during periods when no wastewater, or biosolids, are <u>is</u> discharged to the Reuse Area..."
Page E-4, Reclamation Monitoring Requirements (V), REC-001 (A), Item 1, Table E-4	Footnote 3 of the table indicates agricultural zones up to zone 19, but the City's zones only go up to number 18. Also, Zone 1 is no longer part of the Reuse Area. The City thus requests the following revisions: "For each land application area (Zones 42-198)."
	The reference to footnote 5 is unclear in its current location. The City thus recommends moving the reference to after each occurrence of "1/week/event", i.e. to be "1/week/event ⁵ ".

Page E-9, Reporting Requirements (VIII), SMRs (B), Item 3	The last sentence of this item (“In addition, the following shall be calculated and reported in the SMRs:”) is incomplete and unnecessary. This sentence should be removed.
Page E-9, Reporting Requirements (VIII), SMRs (B), Item 6.a	A period is missing: “...and groundwater (Section VI). <u>Data shall be...</u> ”
Page E-9, Reporting Requirements (VIII), SMRs (B), Item 6.e	Loading rate should be calculated in units of “inches/day” to be consistent with Table E-4: “Hydraulic loading rates (inches/ acre/month <u>day</u>) shall be calculated.
Page E-9, Reporting Requirements (VIII), SMRs (B), Item 6.f	“The Total Nitrogen loading rate shall be calculated for each irrigation field and/or zone (as shown in Attachment BC-2)...Loading rates for supplemental nitrogen (e.g. fertilizers and biosolids), when applicable, shall be calculated and included in the total nitrogen loading rate for each irrigation zone field <u>on</u> a monthly basis ... The cumulative nitrogen loading rate for each irrigation field <u>and/or zone</u> ...”
Page E-10, Reporting Requirements (VIII), Self Monitoring Reports (SMRs) (B), Item 6.g	Groundwater monitoring is required semi-annually per Table E-5, so the City understands that submission of groundwater monitoring reports would also be on a similar semi-annual schedule (not quarterly as indicated), consistent with the general reporting schedule in Table E-7. The City recommends the following specific revisions to this item: “The Discharger shall establish a quarterly <u>semi-annual</u> sampling schedule for groundwater monitoring such that samples are obtained approximately every three <u>six</u> months. Quarterly Semi-annual monitoring reports shall be submitted to the Board <u>in accordance with the Reporting Schedule in Table E-7 by the 1st day of the second month after the quarter (i.e. the January-March quarterly report is due by May 1st)</u> and shall include the following...”
Page E-11, Reporting Requirements (VIII), Other Reports (C), Item 1	“...An Annual Report shall be prepared and shall include all <u>annual</u> monitoring data ...applicable <u>to</u> land applications...”
Page E-12, Reporting Requirements (VIII), Other Reports (C), Item 1.a	“Tabular and graphical summaries of historical monthly total loading rates for water (hydraulic loading in inches) <u>and</u> total nitrogen.
Fact Sheet (Attachment F)	
General Comment	The Fact Sheet does not include any page numbers. The City expects that the final Fact Sheet would include page numbers. For purposes of this table, the page with the Table of Contents for the Fact Sheet is considered to be page F-1, consistent with the Tentative NPDES Permit.
Page F- 2	The second full paragraph of the Fact Sheet refers to a “standardized format” and that sections not applicable are marked “not applicable”. It is our understanding that the template for the WDR is not a standardized format, and this language is referring to the standard format used for NPDES permits.

<p>Page F-3, Facility Description (II)</p>	<p>The introductory text of the facility description could be read to say that the facility always provides tertiary level of treatment, which is not accurate. The City thus requests that the description be revised as follows: “The Facility is currently a 3.0 million gallon per day (mgd) average dry weather flow (ADWF) facility that <u>can</u> provides a tertiary level of treatment of municipal wastewater from the City of Galt.”</p>
<p>Page F-4, Facility Description (II), Item A</p>	<p>The second full paragraph on this page says that the City’s biosolids disposal practices “qualifies the biosolids as ‘Class B’ biosolids...” The City meets Class B standards through testing. Therefore, it is more accurate to say that the solids treatment and disposal practices are adequate to meet Class B standards. The City thus requests that the description be revised as follows: “The combination of (1) stabilization of solids within the oxidation ditch and the storage lagoons, and (2) the Discharger’s disposal practices <u>is adequate to meet</u> qualifies the biosolids as “Class B” biosolids <u>standards</u> in accordance with the USEPA’s regulations as established in Code of Federal Regulations, Title 40 Section 503.”</p>
<p>Page F-7, Applicable Plans, Policies, and Regulations (II), Other Plans, Policies and Regulations (C), Title 27, Item 1</p>	<p>The City has repurposed one of the four storage ponds as a solar facility. Thus, there are only three effluent storage ponds at the WWTP. In addition, wastewater directed to the storage ponds will either be re-treated through the entire plant or land applied. The City thus requests the discussion of the storage ponds be revised as follows: “Effluent Storage Reservoir and four <u>three</u> Effluent Storage Ponds. The storage reservoir is used to store at least secondary-level treated municipal wastewater for agricultural reuse. Treated wastewater may be directed from the reservoir to the four <u>three</u> storage ponds, and then redirected to the reservoir when needed for agricultural reuse. Tertiary treated effluent that does not meet <u>NDPES</u> permit limits may be diverted into the storage reservoir and then <u>either</u> returned to the Facility treatment system for further tertiary level <u>headworks for re-treatment before discharging to Laguna Creek, or land applied in accordance with the requirements established by this Order.</u>”</p>
<p>Page F-9, Rationale for Effluent Limitations and Discharge Specifications (IV), Final Effluent Limitations (B), Item 1</p>	<p>The second sentence of this item indicates that the permit requires limits on BOD loadings, which is not accurate. The City thus recommends the following revision for clarity: “This Order requires the Discharger to limit the hydraulic, <u>and</u> total nitrogen, and BOD loadings to the extent...”</p>
<p>Page F-12, Rationale for Receiving Water Limits, Groundwater (A), Groundwater Quality (3), Item a</p>	<p>“Background Conditions. ...’Subsurface stratigraphic formation information for the WWTP was <u>limited</u>...”</p>

<p>Page F-12, Rationale for Receiving Water Limits, Groundwater (A), Item 2</p>	<p>The reference in the first sentence of this item to “four” effluent storage ponds should be revised to refer to “three” instead: “The Discharger utilizes...and four<u>three</u> unlined effluent storage ponds.”</p>
<p>Pages F-13 and F-14, Rationale for Receiving Water Limits, Groundwater (A), Groundwater Quality (3), Item b</p>	<p>The last full sentence of the last paragraph on page 13 references “section area #19,” which should refer to “Field B” instead. The City thus requests the following correction: “Monitoring well MW-4R is located near the southwestern edge of the current biosolids application area in<u>Field B</u>section area #19.”</p>
	<p>For the last sentence of this item (on page F-14): “Tables F-2 through F-4 below summarize the groundwater monitoring data from the period of Four<u>th</u> Quarter...”</p>
<p>Page F-16, Rationale for Receiving Water Limitations, Groundwater (A), Groundwater Limits (4)</p>	<p>The next-to-last sentence of this section references a groundwater limitation for nitrite but not one for total nitrogen, but the tentative WDRs include a groundwater limitation for total nitrogen and not nitrite. The City thus recommends the following revision for clarity: “This Order also includes numeric groundwater limitations for TDS, nitrate, nitrite, total coliform...”</p>
<p>Page F-19, Public Participation (VIII), Item A</p>	<p>“Notification was provided through the Central Valley Water Board’s website and publication in The Galt Herald on September 30, 2015.”</p>

Central Valley Clean Water Association (CVCWA)

CVCWA WDR Comment No. 1. References to Federal Authority.

The tentative WDR’s were drafted using the existing NPDES permit (Order R5-2010-0099) as a starting point for separating surface water discharges and the discharges of treated wastewater and biosolids to land. CVCWA commented that this approach to drafting the WDR’s resulted in references to statutes and regulations that do not apply, specifically Water Code Section 13383 (cited on pages 4, E-1, and section IV of the Fact Sheet) and the federal bypass regulation, section 122.44(m) of Title 40 of the Code of Federal Regulations, in Provision E.2 of the WDR’s. CVCWA feels that the Central Valley Water Board should rely on its authority under state law when regulating discharges to land, and that the above mentioned references should be deleted from the final WDR’s.

Response. Central Valley Water Board staff concurs that the proposed WDR’s should not reference federal authority and has modified the proposed WDR’s accordingly.

CVCWA WDR Comment No. 2. Title 27 Exemptions

Section III.C of Attachment F of the tentative WDRs describes the Central Valley Water Board’s finding regarding exemption of the Discharger’s land application facilities from requirements of the California Code of Regulations Title 27 (Title 27), which regulates hazardous waste discharges. On 7 February 2012, the State Water Board amended Order WQ 2009-0005, *In the Matter of Own Motion Review of City of Lodi Waste Discharge Requirements and Master Reclamation Permit, Order No. R5-2007-0113 (Lodi Order)* to revise the application of the sewage exemption of Title 27 of the California Code of Regulations to clarify that facilities used to store treated wastewater and recycled water prior to disposal or reuse qualify for the unconditional portion of the sewage exemption Section 20090(a), provided that the storage

facilities are: (1) are used to store treated municipal wastewater prior to ultimate disposal or reuse; (2) do not receive any other wastes other than on-site storm water flows if authorized by the State Water Board or the applicable Regional Water Board; and (3) are under the control of the municipal treatment plant. CVCWA commented that based on the information provided in the Fact Sheet (Attachment F) of the tentative WDR's the Effluent Storage Reservoir and three Effluent Storage Ponds qualify for unconditional exemption from Title 27 under section 20090(a). Therefore, CVCWA requested that Central Valley Water Board staff revise its findings and apply the unconditional exemption from Title 27 under section 20090(a) for the Effluent Storage Reservoir and three Effluent Storage Ponds.

Response. Central Valley Water Board staff concurs and has modified the proposed WDR's accordingly.

CVCWA WDR Comment No. 3. Land Discharge Specifications.

The tentative WDR's explains that undisinfected secondary effluent from the Facility is applied to the Reuse Area where animal feed crops are grown. Accordingly, the tentative WDR's provide discharge specifications for the Reuse Area. CVCWA commented that some of the specifications are not based on the criteria in Title 22 of the California Code of Regulations (Title 22), are more stringent than those criteria, or do not provide the necessary qualifications. For example, CVCWA commented that:

- Provision IV.C.3.d provides setback requirements for the Reuse Area which are more stringent than those required in Title 22.
- The tentative WDR's require the Discharger to post perimeter signs at least every 500 feet along the property boundary where public access may occur and at each access road entrance to the property, which is not required in Title 22.

CVCWA has requested that Central Valley Water Board staff remove specifications that are not required by Title 22 from the proposed WDR's.

Response. Central Valley Water Board staff concurs regarding the spacing requirements for perimeter signs and have modified the proposed WDR's accordingly. However, although some setback requirements are more stringent than required by Title 22, the requirements are included in the proposed WDR's based on engineering judgment to protect public health, assure nuisance conditions are not created, and to protect surface water quality. The Fact Sheet of the proposed WDR's has been updated to provide the appropriate rationale for these requirements.

CVCWA WDR Comment No. 4. Total Nitrogen Groundwater Limitation.

Table 8 of Section V.A of the tentative WDR's proposes a groundwater limitation of 10 mg/L for total nitrogen. CVCWA commented that the proposed groundwater limitation of 10 mg/L for total nitrogen is in addition to groundwater limitation of 10 mg/L for nitrate (as N). CVCWA further commented that the proposed groundwater limitation of 10 mg/L for total nitrogen is inappropriate for several reasons:

- There is no water quality objective for total nitrogen
- There is a primary maximum contaminant level (MCL) for nitrate, but not for total nitrogen.
- Total nitrogen is also different and distinguishable from nitrate, and setting a groundwater limit for total nitrogen will not necessarily translate to obtaining the target nitrate levels.

- There are no findings in the Tentative WDRs that provide any reasoning or explanation why a total nitrogen effluent limit will result in maintaining groundwater quality at the Primary MCL of 10 mg/L for nitrate.

Therefore, CVCWA suggests that the proposed limit is not consistent with any adopted water quality objective or known criteria, and requests that Central Valley Water Board staff remove the groundwater limitation for total nitrogen from the proposed WDR's.

Response. Central Valley Water Board staff concurs and has modified the proposed WDR's accordingly.

CVCWA WDR Comment No. 5. Discharge Prohibition for Storm Water.

The Discharger land applies "Undisinfected Secondary" recycled water and biosolids to agricultural fields surrounding the Facility (the "Reuse Area") in accordance with Title 22 requirements. Section VI.C.3.d.viii of the Limitations and Discharge Requirements portion of the tentative WDR's contains requirements prohibiting the discharge of storm water runoff from the Discharger's Reuse Area to off-site land or surface water drainage courses. Compliance with the prohibition on storm water runoff discharge is required by 1 December 2020, and interim storm water runoff discharge requirements are prescribed in Section VI.C.3.d.ix of the Limitations and Discharge Requirements section of the tentative WDR's. CVCWA commented that they have fundamental concerns with the storm water runoff prohibition, which would become effective on 1 December 2020. Specifically, CVCWA commented that the tentative WDR's and accompanying Fact Sheet provide no justification for prohibiting storm water runoff, nor does it provide or refer to any evidence that wastewater and/or biosolids applied more than 30 days prior to any storm has the potential to cause human health concerns. Thus, CVCWA has requested that Central Valley Water Board staff remove the prohibition on storm water runoff from the proposed WDR's, or provide an additional five years (1 January 2025) for compliance with the storm water runoff prohibition, in order to provide the Discharger sufficient time to organize and conduct a Pathogen Risk Study along with other Central Valley dischargers and CVCWA.

CVCWA further commented that the time schedule for compliance with the storm water runoff prohibition in Provision VI.C.3.d.viii only applies to this provision in particular. Additionally, Discharge Prohibition III.C prohibits any discharge of waste to surface water or surface water drainage course and is not similarly qualified. Therefore, CVCWA requests that Central Valley Water Board staff provide further explanation or qualification to ensure that the Discharger is not in violation of a discharge prohibition because of storm water runoff from the Reuse Area. CVCWA stated that this type of discharge would be exempt from the Clean Water Act, and the proposed WDR's should include the necessary qualifications to protect the Discharger from regulatory uncertainty.

Response. Central Valley Water Board staff concurs with CVCWA's request for additional time to organize and complete a Pathogen Risk Study and to comply with the storm water runoff prohibition prescribed in Section VI.C.3.d.viii of the tentative WDR's. See Response to Discharger WDR Comment No. 1 for changes made to the proposed WDR's in underline/strikeout format.

Central Valley Water Board staff also agrees with CVCWA's comment regarding Prohibition III.C. See Response to Discharger WDR Comment No. 2, above.