

October 6, 2006:

California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, Ca 93401-7906

Comments to Proposed General Permit for Discharges with Low Threat to Water Quality: Order Number R3-2006-0063 / NPDES Number CAG993001

The following are our comments on various portions of the proposed modification to the NPDES General Permit. We have identified each comment in reference to each individual permit related document, whether it's the permit itself, the fact sheet, or the individual attachments (A-E) as follows:

Within the Draft General Permit, the following comments are as follows:

- ① Page 1, Part 2.g is missing which is referenced as a new requirement in the fact sheet (the CEQA requirement on page 6 part "g" of the fact sheet).

Page 3, Part 3.a. lists Brine from desalination as an example of a low threat discharge. Brine is listed in Table 1, "Continuous Discharge Guidelines", but is not listed in Table 2, "Intermittent Discharge Guidelines". A brine category should also be listed in Table 2.

② Additionally, as you are aware, the desalination discharges can be intermittent and can be as high as 0.5 MGD. We ask that this Max.Daily Flow rate also be included in Table 2 in the Brine category regarding flow rate.

- ✓ Page 8, under "General Findings" #25 discusses the MRP. We suggest referencing in this paragraph that the MRP is Attachment B.

- ③ Page 9, Part A. Application Requirements: Item 1 and subsequent requirements (a,b) have no due dates listed. Could it be possible to indicate when these requirements are due (i.e. "The following requirements are due 30 days after the effective date of the permit").

Page 9 Part A. Application Requirements: Item 1.b.2 lists an exemption to monitoring the priority pollutants under the State Implementation Policy section 5.3. Can this information be included in the Definitions section of the MRP or inserted or footnoted somewhere on Page 9? Also, are all of the priority pollutants listed in Attachment D required? Historically, 2C NPDES permit applications allow the discharger to exclude various waste water parameters that are not expected to be in the effluent. Can this approach also be applied to the priority pollutants list of constituents to reduce the monitoring costs?

④

- ⑤ Page 11, Part A.7. This sentence indicates that no discharges may occur until written confirmation of enrollment. Previous permits allow discharges to continue until the new

permit takes effect. Maybe this could say "in no case may any new discharges occur.....and previously approved permits will remain in effect until new coverage is confirmed....."

6 Page 12, Part C. Effluent Limitations: Item 1. lists chlorine to be less than 0.02 mg/l. Could this also be included in Table 3 as one of the Effluent limits so it is not overlooked. A footnote under the table could be added that may say "monitoring for chlorine not required if the effluent is not chlorinated". It's your discretion as to the monitoring frequency for chlorine.

7 Page 14, Part G. Standard Provisions...Item 1 is a bit confusing. Could you just consider disregarding A.16 verbiage in Part G and list the new MRP annual reporting requirement here instead by inserting that the "annual report is due 45 days after the sample collection date....." ?

Monitoring and Reporting Program (MRP): The following comments address the MRP:

8 Page 1 and 2: Part B. Definition of Terms: Include a definition of "Start up" as listed in section D, "Start up Phase Monitoring and Reporting" section. Is this monitoring applicable to a facility that has been discharging previous to the new permit? This needs to be better spelled out (maybe a clear definition of "Start up" will take care of this question).

9 Page 3, Part C Specifications....3.b and 3d.: We saw no limits for ammonia or toxicity in the permit. How will we know if we are in violation of either of these test results? Maybe the Board could insert a sentence into each these paragraphs saying ..."the Water Board will notify you if any further testing is necessary...."

8 Page 4. D. Start Up Phase (reference definition to "start up" as mentioned above) Also suggest to clearly note in this section that the monitoring requirements are not applicable to facilities already discharging if this is the case.

10 Page 6. Monitoring Frequency table: Could you add to Footnote 3 for acute toxicity. Suggest adding the species allowed for the test: (i.e. Top Smelt or other acceptable species).

11 Page 7. F. Receiving Water Monitoring: Part 1. Observations Table: There is no reference as to how operators are required to perform the receiving water "Bottom deposits" related observations. Would the Board consider including procedures for this type of monitoring. Can an exemption be granted to facilities that discharge more than a mile offshore?

**Standard Provisions and Reporting Requirements for NPDES Permits
January 1985:**

12 Is there a more recent version of this document? If not, we would suggest a thorough review and update unless already under review. There are several provisions in this document that are inconsistent with the new proposed permit in addition to the annual reporting requirements discussed above (*refer to page 14 comment*). Our comments though have been limited to the above General Permit and MRP to remain within the scope of the public comment requested by the Water Board.

Thank you so much for your time and consideration regarding our list of comments herein. If you have any questions, please don't hesitate to contact me at (805) 644-4560.

*S.G. Lawry
LTS Environmental Inc.*