Appendix B

Comment Letters

The City of Burlingame
City Hall – 501 Primrose Road
Burlingame, CA 94010-3997

March 14, 2013

Ms. Marcia Liao
Water Resource Control Engineer
California Regional Water Quality Control Board,
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612
By email: Marcia.Liao@waterboards.ca.gov

Subject: Comments on Tentative Order Issued for the City of Burlingame Wastewater Treatment Facility (Reissuance of NPDES Permit No. CA0037788)

Dear Ms. Liao:

The City of Burlingame (City) has reviewed the Tentative Order issued by the Regional Water Board on February 12, 2013. The attached comments are submitted prior to the March 15, 2013 deadline to be considered for inclusion in the final adopted permit. The comments primarily delineate compliance responsibilities for the City versus the North Bayside System Unit (NBSU), changes to the wet weather blending tasks, and a request for reduced pretreatment program requirements.

The City has spent $30 million over the past 8 years to reduce infiltration/inflows (I/I) in its collection system, prevent Sanitary Sewer Overflows (SSOs), and to improve wet weather flow handling at the wastewater treatment facility (WWTF). As a result of collection system improvements, there has been a 95% reduction in SSOs in the main sewer lines and a 90% reduction in SSOs in the lower laterals. The City constructed a 1.6 million gallon stormwater retention basin in September 2011 to reduce blending and use of the emergency outfall. No blending or emergency outfall discharges have occurred since its installation. Approximately $47 million in capital improvement projects for the WWTF and collection system are scheduled over the next 10 years. When completed, these rehabilitation efforts will further reduce wet weather inflows and the occurrence of

future blending events at the WWTF. The City is proud of its efforts to control wet weather flows to the WWTF, and as a result of these efforts, wet weather blending is now expected to occur infrequently and only during very large storm events. The City will continue to work with the satellite agencies to achieve additional I/I reductions, but the City has no direct control over projects and deadlines specified for these agencies.

The City appreciates the time and considerations granted by Regional Water Board staff during development of this Tentative Order. Please contact me at (650) 558-7230 (or by email, SMurtuza@burlingame.org) if you have any questions on the attached comments.

Sincerely,

Syed Murtuza, P.E.
Director of Public Works

Attachment – Comments on Reissuance of NPDES Permit No. CA0037788

Cc: Bill Johnson, bill.johnson@waterboards.ca.gov
Lila Tang, lila.tang@waterboards.ca.gov
William Toci, william.toci@veoliawaterna.com
Denise Conners, denisec@lwa.com

ATTACHMENT

Comments Regarding Tentative Order for City of Burlingame and North Bay Systems Unit

Reissuance of NPDES Permit No. CA0037788

The City of Burlingame (City) appreciates the opportunity to submit the following comments on the Tentative Order (T.O.), released for review and comment on February 12, 2013. For requested revisions to the text of the T.O., underline is shown for suggested additions, and ~~strike-out~~ is shown for suggested deletions.

1. **The City is concerned with the Discharger being identified as the "City of Burlingame and the North Bay System Unit (NBSU)." The entities have different responsibilities and jurisdictions and these distinctions must be clearly stated in the NPDES permit. The City is directly responsible for only the wastewater conveyance, storage, and treatment facilities located within the City limits. The NBSU (a Joint Powers Authority consisting of multiple agencies) is responsible for operation of the effluent forcemain, flow monitoring and dechlorination of the combined effluent, and operation of the deepwater outfall. The City understands that as a party to the Joint Powers Agreement it is subject to NBSU requirements. However, the City does not have delegated authority by the affected agencies to act unilaterally to comply with NPDES permit conditions. In addition, the City's wastewater collection system is operated by City staff while the WWTF and effluent pumping system is operated by Veolia Water West Operating Services, Inc. The City requests inclusion of the following language in the T.O. to correctly identify all entities involved in collection, treatment, and disposal of City of Burlingame wastewater and to delineate their respective responsibilities.**

   Findings II.B.1. [page 3-4]

   Facility Description. The City of Burlingame owns the wastewater collection system located within the City limits, the City of Burlingame Wastewater Treatment Facility (hereinafter the Plant, and the effluent forcemain up to the City boundary. ~~and~~ Veolia Water ~~North America West, LLC~~ West Operating Services, Inc. operates the Plant (up to Discharge Point 001)under contract with the City. ~~operates, the City of Burlingame Wastewater Treatment Facility (hereinafter the Plant) and~~ The City of Burlingame operates the wastewater collection system and the effluent forcemain within the City limits.

   The Plant, located south of the San Francisco International Airport and northeast of the City of Burlingame (see Attachment B), provides secondary treatment of domestic and commercial wastewater for the City of Burlingame, a portion of the Town of Hillsborough, and the Burlingame Hills Sewer Maintenance District. The service area population is approximately 37,000. No significant industrial users discharge to the Facility.

   The Plant discharges to the NBSU forcemain at Discharge Point 001. The NBSU is a Joint Powers Authority comprised of the Cities of Burlingame, Millbrae, South San Francisco, San Bruno and the San Francisco International Airport. The City of Burlingame is responsible for implementing all permit requirements associated with operation of the City's collection system, the Plant , and the effluent forcemain up to the City boundary. The NBSU is responsible for implementing all permit requirements related to operation of the NBSU forcemain (after the City boundaries), the combined effluent pumping station, effluent dechlorination, and the deepwater outfall (Discharge Point 002).

From July 2009 through June 2012, the average monthly flow at Discharge Point 001 was 3.37 MGD, and the maximum daily flow was 13.15 MGD. The Plant design average daily dry weather flow is 5.5 MGD and the peak wet weather capacity, based on the engineered contractual limit for the NBSU forcemain ~~effluent pipeline~~, is 16 MGD. For purposes of this Order, the Plant, the City of Burlingame's collection system, ~~and~~ the NBSU forcemain, and the deepwater outfall are hereinafter collectively referred to as the "Facility."

Permit Information I.A. [page F-4]

The City of Burlingame and the North Bayside System Unit (NBSU) (hereinafter the Discharger) discharge treated wastewater into the deep-water channel of Lower San Francisco Bay. The City of Burlingame owns the Plant, a Publicly Owned Treatment Works, and the portion of the sewage collection system and effluent forcemain located within the City limits. The Plant, operated by Veolia Water ~~North America~~ West Operating Services, Inc.~~, LLC~~, provides secondary treatment of wastewater and discharges the effluent to the NBSU forcemain. The NBSU owns the effluent forcemain (after the City boundaries), the combined effluent pumping station, effluent dechlorination facilities, and the deepwater outfall. For purposes of this Order, the Plant, the City of Burlingame's collection system, and the NBSU forcemain are hereinafter collectively referred to as the "Facility."

2. **The emergency outfall is located offshore from the WWTF site, very close to Discharge Point 001. The description of the emergency outfall location in the T.O. should be changed as follows to accurately describe its location.**

Findings II.B.4. [page 4]

About once a year, when the effluent flow reaches 16.0 MGD (the engineered contractual limit for the NBSU pipeline), emergency discharge through a shallow water outfall occurs. The outfall, located ~~approximately 0.6~~ <0.1 miles southeast of Discharge Point No. ~~002~~ 001, is a gated weir just off the final clarifier...

Facility Description II.B. [Page F-6]

About once a year, when the effluent flow reaches 16.0 MGD (the engineered contractual limit for the NBSU pipeline), emergency discharge through a shallow water outfall occurs. The outfall, located ~~approximately 0.6~~ <0.1 miles southeast of Discharge Point No. ~~002~~ 001, is a gated weir just off the final clarifier...

3. **Projects are underway to improve the condition of the City-owned collection system and reduce the frequency, duration, and volume of wet weather blending events at the WWTF. In addition, the City will continue to work with its satellite agencies (the Town of Hillsborough and the Burlingame Hills Sewer District) and encourage improvements in their respective collection systems. However, the City has no authority to require actions of the satellite agencies and unforeseen circumstances (e.g., agreements with satellite agencies, capital project financing) may require a delay in project completion or a change in strategy. The City requests a process be included in the NPDES permit for the City to request and receive Executive Officer approval (if needed) for changes to the approach and deadlines. The following changes are proposed to address these requests in the T.O.**

Provisions VI.C.5. [page 19]

a. Specific Tasks to Reduce Blending

The Discharger shall implement the following tasks to reduce blending. The Discharger may request, and the Regional Water Board authorizes the Executive Officer to approve, changes to deadlines associated with implementation of the Wet Weather Improvement Plan (Task 1) specified below. The request and any approvals must be in writing. The basis for the request may include allowing the Discharger time to consider a change in strategy for achieving compliance with the collection system upgrades to reduce blending. The Executive Officer may modify the tasks and deadlines as long as there is reasonable progress toward development of an alternative strategy and reasonable assurance that the alternative strategy will achieve equal or better results.

4. **The City has a flow-based rate structure in place to assess charges for managing and treating wastewater delivered to the WWTF from the satellite agencies. As a result, Task 5 of Table 9 is not necessary and the City requests that it be removed from the NPDES permit. The Town of Hillsborough is charged a monthly fee based on the volume and quality of wastewater delivered to the WWTF. Wastewater flow from the Burlingame Hills Sewer District is very difficult to monitor due to the presence of various collection system segments that go in and out of multiple jurisdictions. The winter water consumption of the 427 properties in the Burlingame Hills Sewer District is compiled and compared to the overall City's winter water consumption. Based on that percentage, charges are invoiced to the District for wastewater treatment. The requested change to Table 9 of the T.O. is shown below.**

Table 9. Specific Tasks to Reduce Blending

Task	Compliance Date
~~5. Consider Flow-Based Rate Structure.~~ ~~The Discharger shall develop a flow-based rate structure that accounts for the costs of treating and managing inflow and infiltration from the City and the satellite agencies and present this proposal to its City Council for consideration.~~	~~December 1, 2014~~

5. **The City has included cyanide as a constituent of concern in its Pollution Prevention Program and is vigilant in its efforts to detect cyanide contributors and review discharge requests. To-date, no potential cyanide sources have been identified. An emergency monitoring and response plan has been prepared in case a significant cyanide discharge occurs. The status of these efforts will be included in the Annual Pollution Prevention Reports due each February 28th. The deadline for Task 2 of the Cyanide Action Plan should be changed to correctly identify the status of these actions.**

Table 11. Cyanide Action Plan [page 22]

Task	Compliance Date
2. Implement Cyanide Control Program The Discharger shall submit a plan and begin implementation of a program to minimize cyanide discharges to its treatment plant consisting, at a minimum, of the following elements: a. Inspect each potential source to assess the need to include that contributing source in the control program. b. Inspect contributing sources included in the control program annually. Inspection elements may be based on USEPA guidance, such as Industrial User Inspection and Sampling Manual for POTWs (EPA 831-B-94-01). c. Develop and distribute educational materials to contributing sources and potential contributing sources regarding the need to prevent cyanide discharges. d. Prepare an emergency monitoring and response plan to be implemented if a significant cyanide discharge occurs. (For purposes of this Order, a "significant cyanide discharge" is occurring if the plant's influent cyanide concentration exceeds 16 µg/L.)	~~*Completed February 28, 2014*~~ With annual pollution prevention report due February 28 each year

6. **The City uses Enterolert™ to quantify enterococcus concentrations and assess compliance with effluent limitations. The Enterolert™ method quantifies results in MPN/100mL. The City requests the following change to the T.O. to consistently identify the applicable reporting units for enterococcus results.**

   Effluent Limitations and Discharge Specifications IV.A.2. [page10]

   (a) **Enterococcus Bacteria:** The geometric mean enterococci density of all effluent samples collected within a calendar month shall not exceed 35 ~~Colony Forming Units~~ MPN per 100 mL (~~CFU~~MPN/100 mL).

7. **The City requests the option to collect total ammonia effluent samples as grab or 24-hr composites as needed to comply with requirements specified in the CWC Section 13267 Technical Report Order issued by the Regional Water Board (March 2, 2012). The proposed change to the T.O. is indicated below.**

   Table E-3. Effluent Monitoring – EFF-001 [page E-3]

Parameter	Units	Sample Type	Minimum Sampling Frequency
Total Ammonia	mg/L as N	Grab or C-24	1/Month

8. **The City currently has no Significant Industrial Users (SIUs) and requests a reduction in pretreatment program monitoring requirements and the authorization to submit just one pretreatment program report each year (i.e., annual reporting only). The City has reviewed its influent, effluent, and biosolids data collected during the past 8 years to consider reduced monitoring frequencies. If there are less than 5 SIUs in a pretreatment program, Attachment H (Page H-13) indicates the minimum sampling frequency is once every five years. The City requests a reduction in influent and effluent VOC and BNA monitoring to once every five years, since the**

data have been consistently non-detect or detected not quantified (DNQ). The City also requests a reduction in influent and effluent metals monitoring to once per year to be consistent with the effluent priority pollutant monitoring requirements. Copper and mercury samples will be collected more frequently to assess compliance with effluent limits. Annual pretreatment program reporting will be conducted until the City identifies an SIU. If an SIU is identified, the SIU will be included in the City's Pretreatment Program, the Regional Water Board will be notified, and semi-annual reporting will resume. The following changes to the T.O. are proposed to address these requests.

Pretreatment and Biosolids Monitoring Requirements VII. [page E-9]

The Discharger shall comply with the pretreatment requirements specified below for influent (at Monitoring Location INF-001), effluent (at Monitoring Location EFF-001), and biosolids (at Monitoring Location BIO-001). The Discharger shall report summaries of analytical results in annual ~~and semi-annual~~ pretreatment reports in accordance with Attachment H. If the City identifies an SIU, an annual report will be submitted the following year by February 28 that includes the compliance status of the newly identified SIU(s) and the twice per year pretreatment reports will resume. At its option, the Discharger may also report biosolids analytical results in its eSMR by manual entry, by EDF/CDF, or as an attached file.

Table E-6. Pretreatment and Biosolids Monitoring Requirements

Constituents	Sampling Frequency			Sample Type[3]	
	Influent INF-001	Effluent EFF-001[2]	Biosolids BIO-001	INF-001 and EFF-001	Biosolids BIO-001
VOC	~~2/Year~~ 1/5 Years	~~2/Year~~ 1/5 Years	2/Year	Grabs	Grabs[3b]
BNA	~~2/Year~~ 1/5 Years	~~2/Year~~ 1/5 Years	2/Year	Grabs	Grabs[3b]
Copper	1/Month	1/Month	2/Year	C-24[3a]	Grabs[3b]
Mercury	1/Quarter	1/Month	2/Year	C-24[3a]	Grabs[3b]
Metals[1]	~~1/Month~~ 1/Year	~~1/Month~~ 1/Year	2/Year	C-24[3a]	Grabs[3b]

[1] The metals are arsenic, cadmium, ~~copper~~, selenium, ~~copper~~, lead, ~~mercury~~, nickel, silver, zinc, and total chromium.

9. **The pretreatment program monitoring frequencies and constituents that are summarized in Table F-13 should be changed to reflect the final decision on pretreatment program monitoring frequencies requested in Comment #9.**

10. **Editorial, non-substantive changes to the T.O. are requested as follows:**

    a) **Findings II.B.3. [page 4]**

    The dechlorination facility is located at the South San Francisco and San Bruno Water Quality Control ~~Facility~~ Plant, and is operated by its personnel for NBSU.

    b) **Facility Description II.A.3. [page F-5]**

    Treated wastewater is discharged to the NBSU force main at Discharge Point No. 001 where it is transported to the South San Francisco and San Bruno Water Quality Control ~~Facility~~ Plant for dechlorination prior to discharge to Lower San Francisco Bay from Discharge Point No. 002. These steps are shown in the process flow diagram in Attachment C.

c) **Effluent Limitations and Discharge Specifications IV.A.2.(c) [page 10]**

The Discharger may elect to use a continuous online monitoring system for measuring flows, chlorine residual and sodium ~~bisulfate~~ bisulfite (or other dechlorinating chemical) dosage (including a safety factor) and concentration to prove that chlorine residual exceedances are false positives.

d) **Table E-1. Monitoring Station Locations [page E-2]**

Type of Sampling Location	Monitoring Location Name	Monitoring Location Description
Effluent	EFF-002	At any point in the outfall following dechlorination at South San Francisco and San Bruno Water Quality Control Plant.

e) **Permit Information I.B. [page F-4]**

Discharge of treated wastewater from the Plant into Lower San Francisco Bay, a water of the State and the United States, is currently regulated by Order No. R2-2008-0008 (NPDES Permit No. CA0037788), which was adopted on January 30, 2008, became effective on April 1, 2008, amended by Order Nos. R2-2010-0054 in 2010 and R2-2011-0008~~9~~ in 2011, and expired on March 31, 2013.

f) **Rationale for Effluent Limitations and Discharge Specifications IV.C.4.c.(2) [page F-26]**

(b) **RPA Results.** This Order establishes effluent limitations for copper because the MEC (~~46~~ 12 µg/L) exceeds the governing water quality objective (8.2 µg/L), demonstrating reasonable potential by Trigger 1, and because Basin Plan section 7.2.1.2 requires that individual NPDES permits for municipal and industrial wastewater treatment facilities include copper WQBELs.

g) **Rationale for Effluent Limitations and Discharge Specifications IV.C.4.c.(5) [page F-29]**

(b) **RPA Results.** The SIP methodology was used as guidance in performing the un-ionized ammonia RPA and to calculate effluent limitations. This Order establishes effluent limitations for total ammonia because the MEC (~~39~~ 36 mg/L as nitrogen) exceeds the translated water quality objective (0.93 mg/L as nitrogen), demonstrating reasonable potential by Trigger 1.

h) **Rationale for Monitoring and Reporting Requirements VI.C. [page F-34]**

2. **Chronic Toxicity.** This Order requires the Discharger to conduct chronic toxicity tests twice per year to ensure that the discharge does not exceed acceptable levels of chronic toxicity. The accelerated monitoring triggers are consistent with the previous order and Basin Plan Table 4-~~6~~ 5.

i) **Rationale for Monitoring and Reporting Requirements VI.E. [page F-35]**

This Order specifies the sampling type for pretreatment monitoring. Specifically, it requires grab samples for volatile organic compounds (VOCs) and base/neutrals and acids (BNA) ~~cyanide and hexavalent chromium.~~ Discrete grabs are necessary for these parameters to minimize potential losses during automatic compositing. VOCs are volatile~~, and cyanide~~ and BNAs are also somewhat volatile. ~~Hexavalent chromium is chemically unstable~~.

j) **Table F-13. Monitoring Requirements Summary [page F-35 to F-36]**

Parameter	Influent INF-001	Effluent EFF-001	Effluent EFF-002	Blended Effluent EFF-001B	Sludge and Biosolids BIO-001	Receiving Water
pH		3/Week		1/~~Day~~ Year[5]		Support RMP

Footnotes for Table F-~~10~~3:

Liao, Marcia@Waterboards

From: Stuber, Robyn <Stuber.Robyn@epa.gov>
Sent: Thursday, February 28, 2013 8:19 PM
To: Liao, Marcia@Waterboards
Cc: Johnson, Bill@Waterboards; Tang, Lila@Waterboards; Smith, DavidW
Subject: U.S. EPA Region 9 comments on public notice draft permit for City of Burlingame and North Bayside System Unit (Tentative Order No. R2-2013-XXXX, NPDES No. CA0038369)

Dear Ms. Liao,

We have reviewed the draft permit for the City of Burlingame and North Bayside System Unit (Tentative Order No. R2-2013-XXXX, NPDES No. CA0038369) and discussed with Bill Johnson one issue where we are recommending minor changes to the draft permit's collection system tasks to reduce blending.

Following our recent comments on the draft permit for the City of San Mateo and City of Foster City Estero Municipal Improvement District, we support the special provisions of section VI.C.5.a (specific tasks to reduce blending); however, to guide the collection system tasks in Table 9, we ask that the following language be added: Collection system work must implement all feasible alternatives to reduce blending resulting from all I&I peak flows in the collection system.

Regarding backsliding, the permit's approach to evaluating backsliding from statistically calculated WQBELs interprets the statutory requirements (CWA section 402(o)(2) and 303(d)(4)) as applying to the most stringent existing WQBELs. We support this approach which directly compares newly calculated individual WQBELs against the corresponding individual WQBELs in the previous permit. If a backsliding exception is not met, then the WQBEL from the previous permit is retained in the reissued permit if it is more stringent than the newly calculated limit. In this manner, the goal of anti-backsliding to reduce over time the total amount of pollution discharged, except when a permit-specific backsliding exception is met, is achieved. We support this approach for future permits.

If you have questions regarding these comments, please contact me or my manager, David Smith (415-972-3464) .

Sincerely,

Robyn Stuber,
Environmental Scientist

Robyn A. Stuber - Environmental Scientist
U.S. Environmental Protection Agency - NPDES Permits Office (WTR-5)
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Phone - 415.972.3524