

RESPONSE TO WRITTEN COMMENTS
on Tentative Order for
Waste Discharge Requirements for
THE WINE GROUP, LLC - CONCANNON WINERY
LIVERMORE VALLEY, ALAMEDA COUNTY

Public Review and Comment Period

The tentative order (TO) was released for public review and comment on May 9, and the comment period closed June 9, 2014. We received two comment letters and a supplemental to a letter as follows:

Letter 1: June 9, 2014, letter from The Wine Group, LLC, to Water Board, 8 pages
From Kyle Schmidt, Director of Environmental Services
(Filed as ECM Doc # 1416313, and CIWQS Place # 771359)

Letter 2: June 9, 2014, letter from Zone 7 Water Agency to Water Board, 2 pages
From G.F Duerig, General Manager
(Filed as ECM Doc # 1416314, and CIWQS Place # 771359)

Data supplement to Letter 1

June 12, 2014, supplemental information from The Wine Group, LLC
Wastewater system data submitted as a spreadsheet containing 3 worksheets
Submitted via email from Kyle Schmidt to Blair Allen
(Filed as ECM Doc # 1416317, and CIWQS Place # 771359)

Introduction

This document provides Water Board responses to the above-listed letters. For cross-reference purposes, the original letters have been labelled in the left margins with sequential numbers for each major comment. Copies of the comment-numbered letters are attached in Appendix B.

In this document, each major comment is summarized, followed by the Water Board staff response. Revisions made to the TO are summarized after the Water Board response. Where actual text from the TO is reprinted here, revisions are shown in underline for additions and ~~striketrough~~ for deletions.

Letter 1 - The Wine Group, LLC (Discharger)

Comment 1 – Compliance options “outside of control and influence” of Discharger

The Discharger comments that the TO includes specific requirements or compliance options that are largely reliant on entities other than the Discharger. The Discharger concludes that it will continue to work towards finding the best management solution for all interested parties.

Response:

This comment is in regard to the requirement that the Discharger evaluate the feasibility of connecting to the adjacent sanitary sewer in order to eliminate its discharges of nitrogen to groundwater. The TO also allows for compliance by means of alternative actions to eliminate an

equivalent load of nitrate nitrogen from other existing wastewater sources in the vicinity of the Concannon Winery's discharges. These requirements are necessary in order to protect and restore groundwater in the area. We are committed to working with the Discharger and confident that we will find a solution to what we recognize is a challenging problem.

Conclusion:

Because of the importance of this issue, and our concern that the Discharger make finding a solution a top priority and business decision, we did not revise the TO in response to this comment.

Comments 2, 3, 4, 5, 6, 11, 12, 13, and 14 – Discharge quantity, quality, and specifications: request for higher values

In its multi-part comment (see numbers listed above), the Discharger states that it understands, "...that the discharge quantity and discharge quality descriptions in the TO are based upon published information and best industry practice estimates," and are, therefore, "understated" in the TO, and for this reason, the TO's proposed effluent limitations, which tier off of these descriptions, "... are not reasonable or achievable by the Facility."

Based on the above premise, the Discharger provides several different comments noting that the TO's characterization of the proposed quantity and quality of winery and domestic wastewater and quality are understated. The Discharger also suggests revised values characterizing the waste streams and associated discharge requirement limitations specified in the TO.

The Discharger notes that its comments and suggestions are based in part on wastewater system data collected since its submittal of the Report of Waste Discharge (ROWD). In addition, the Discharger submitted data as a supplement to its narrative comments.

Response:

The Discharger's main premise in which it claims that the discharge quantity and discharge quality descriptions are "...based upon published information..." is misleading and inaccurate: "published information" implies that the information is generally available—rather than specific to this facility—and produced by unrelated, neutral third parties.

However, we based the discharge quantity and discharge quality descriptions on the information that the Discharger submitted in its ROWD, as is standard practice in developing waste discharge requirements. Furthermore, the TO's proposed Discharge Specifications are based on a combination of the specific information the Discharger submitted in its ROWD and technology-based effluent limits, which we derive from industry standards. This is the Board normal and appropriate approach to developing waste discharge requirements.

To clarify which requirements were based on the ROWD versus technology-based industry standards, please see table, below:

Corresponding Comment Number and Descriptor	Location in TO	Basis for the number in the TO
3. Discharge quantity	Finding 8	Discharger reported in the ROWD
4. Discharge quality, North/South Domestic System	Finding 9	Discharger reported in the ROWD
6. Discharge quality, Winery Process Wastewater	Finding 9	Discharger reported in the ROWD
12. Specification 4 – Flows, Winery Process Wastewater	Discharge Specification 4	Discharger requested this limit in the ROWD
13. Specification 5 – Discharge Effluent Limits – Sanitary Wastewater	Discharge Specification 5	The BOD, TSS, and Total N concentrations are all based on what the Discharger reported in the ROWD as a projected effluent quality and is consistent with industry standard technology-based limits. The Nitrogen Removal Rate of 50%, minimum, is based on what the Discharger reported in the ROWD that its treatment system can accomplish. (See also Response to Comment 5)
14. Specification 6 – Discharge Effluent Limits – Winery Wastewater System	Discharge Specification 6	The BOD, TSS, and Total N concentrations are based on industry standard technology-based limits. The Total Nitrogen Load was calculated using the Discharger’s reported values.

In terms of what the Discharger submitted in its Comment Letter and Data Supplement, the recently submitted data is not sufficiently robust for characterizing the existing or achievable quality and quantity of the discharge. Little or no supporting contextual information, such as flow, wastewater system operational data, observations, sampling protocols, or laboratory analysis reports, was submitted. For the domestic wastewater system data, there is no flow data. For five of the six winery wastewater sample data sets, there is no corresponding flow data. The winery wastewater flow data is discontinuous and apparently incomplete, showing flow data for only 34 days out of the roughly 480 day period spanned by the data table (January 28, 2013 - May 29, 2014). Some of the data appear to indicate unstable and unacceptable performance of the wastewater systems, with no accompanying commentary to explain the unusual data or describe the wastewater system conditions. The data is also inconsistent with the Discharger's own recommended monitoring practices stated in its ROWD.

The Discharger suggests using values that would authorize larger quantities and higher strength wastes to be discharged to land than it described in its ROWD. The suggested revised values would also affect the discharge characterizations and comparative analyses included in the ROWD, such as the water balance and nitrogen loading analyses.

However, the intent of the process to develop waste discharge requirements is not to simply permit whatever maximum discharge quantity and quality is observed, but rather to establish requirements for discharges that are of acceptable quality and quantity in accordance with permitted land uses, for adequate and reliable control of discharge quality, and for adequate and reliable protection of surface and groundwater resources.

If the Discharger provides acceptable updated information in the form of a revised ROWD, with acceptable information about quality and quantity of its proposed discharges in accordance with permitted land uses, adequate and reliable control of discharge quality, and adequate and reliable protection of groundwater resources, we would recommend that the Water Board consider amending the Waste Discharge Requirements accordingly. The revised ROWD would need to be in accordance with a revised submittal to Alameda County (both the Planning and Environmental Health departments) such that the County can revise its CEQA analysis and permitting for the proposed increased discharges. Until the Discharger goes through these steps, it is inappropriate to change the proposed Waste Discharge Requirements as the Discharger requests in its comments.

Conclusion:

We did not modify the discharge quantity and quality values and limits in the TO except for to change the values from daily maximum to monthly limits.

Comment 5 and 13 – Percent reduction of total nitrogen (TN)

The Discharger states that, “while TN concentrations are above the expected performance limit as stated in the [TO], [we] would like to emphasize that the performance goal of a nitrogen reduction of 50% has been consistently demonstrated as achievable... . [The Discharger also recommends that] the performance standard for TN be based solely on a 50% reduction in TN and not limited to a numerical concentration in the system effluent as...performance is based highly on a varied influent stream. [The Discharger] also requests that this compliance of 50% reduction be based upon an average of the twice monthly required domestic system effluent nitrogen samples.”

Response:

We do not disagree that data submitted to the Water Board indicates that the 50% reduction of nitrogen appears to be consistently achieved. However, whenever the Water Board uses percent removal requirements as an effluent limitation, it also always imposes numeric effluent limitations. This approach is necessary in order to protect water quality and ensure that proper treatment trains are employed to match influent water quality. If we were to only rely upon percent removal requirements, the discharger could still discharge waste with concentrations several orders of magnitude above what is protective of water quality and is technologically achievable.

Conclusion:

We did not revise the TO in response to this comment.

Comment 7 – New groundwater monitoring wells and initial data

This comment pertains to Finding 21 in the TO. The Discharger presents groundwater monitoring data from two new groundwater monitoring wells installed by the Discharger in October 2013 as described in the ROWD. The sampling events occurred in the fourth quarter of 2013 and the second quarter of 2014. The results indicate groundwater nitrate nitrogen levels at the two wells of 13, 6.9, 11, and 6.8 mg/L NO₃-N. The Discharger asserts that groundwater directly beneath and downgradient of its facility is less impacted than that of the upgradient well sampled by Zone 7.

Response:

Additional information is needed to characterize groundwater beneath the Discharger's entire 250+ acre site and downgradient of the facility. The TO requires routine monitoring of groundwater at these two new wells. The Discharger has not requested any changes to the groundwater monitoring requirements.

Conclusion:

We did not revise the TO in response to this comment.

Comment 8 – Groundwater monitoring plan technical report

This comment pertains to Finding 28.c and Provision C.7.b of the TO. The Discharger comments that the TO requires submittal of a technical report within 60 days describing the Discharger's groundwater monitoring program; that much of the required information is given in the submitted December 2013 Monitoring Well Installation Report; and remaining information (responsible parties and monitoring protocol) could be submitted with the first required SMP.

Response:

The Discharger has submitted information about the groundwater monitoring program in the ROWD and in two separate technical reports that are related to the two new groundwater monitoring wells (an October 2012 pre-installation work plan report and a December 2013 post-installation report). These previously submitted technical reports do not need to be re-written but may be incorporated by appropriate reference and discussion within the required report.

Conclusion:

We revised Provision C. 7.b of the TO by adding the following language:

If this information has been submitted (all or in part) previously, it is acceptable to reference that previous submittal.

Comment 9 – Certified or licensed operators and employee training

This comment pertains to Finding 30 and Provision C.5 in the TO. The Discharger comments that the TO requires the wastewater systems to be operated and maintained by certified wastewater treatment plant operators or similarly qualified and licensed persons. The Discharger comments that the wastewater system will be operated by qualified facility personnel with support from outside

contractors as necessary. The Discharger requests removal of the requirement for operator certification or license.

Response:

All wastewater treatment systems need to be operated and maintained by qualified service providers. Operator certification, or similar valid professional registration or license, is a useful means of assuring acceptable qualifications. However, Water Board authority to require operator certification for the wastewater systems, such as in use at this facility, is limited by State regulations. Therefore we have made clarifying changes.

Conclusion:

To clarify that a license is not required, we revised Finding 30 and Provision C.5.a as follows:

30. Operation and Maintenance Providers

This Order requires the wastewater systems to be operated and maintained by **certified** wastewater treatment plant operators, or similarly qualified persons, that are experienced and knowledgeable of the wastewater system design and its proper operation, ~~or other similarly qualified and licensed persons~~. This Order requires the Discharger to establish and maintain a valid contract with a qualified service provider for operation and maintenance of the wastewater systems.

5. Operation and Maintenance Providers

- a. The wastewater systems shall be operated and maintained by persons that are experienced in, and knowledgeable of, proper wastewater treatment and disposal practices. Such persons ~~shall~~ **may** be wastewater treatment plant operators possessing a current and valid certification from the State of California or other persons with similar knowledge and experience ~~and valid professional registration or license~~.

Comment 10 - Solid waste management

This comment pertains to Finding 32 and Discharge Specification B.11 in the TO. The Discharger comments that the TO states that disposal of solid waste on the property is not authorized. The Discharger seeks clarification that the "common beneficial reuse of winery process solids is not prohibited under the Order", and suggests language.

Response:

The language in the TO is appropriate and correct with respect to technical information presented in the ROWD and Water Board requirements. The ROWD does not include any technical information about proposed future discharges of solid wastes on the property. The Water Board cannot authorize discharges for which there is no information submitted. Accordingly, Finding 32 states that disposal of solid waste on the Discharger's property is not authorized by this Order. Discharge Specification B.11 states that, if the Discharger desires to dispose of solid wastes on the property, the Discharger must first file a ROWD, and the facility will need to be brought into compliance with applicable laws and regulations prior to such discharges.

Conclusion:

We did not revise the TO in response to this comment.

Comment 15 – Do not require halt of discharge when non-compliance discovered

The Discharger requests that we, “reword Discharge Specification 7 to allow for a time period to return to compliance upon the discovery of a non-compliance condition without halting all discharge as this has the potential to cause complete closure of operations and potential excessive and unnecessarily costly diversion or loss of grapes and juice during the crush season.”

Response:

Per the Water Code, discharging to waters of the State is a privilege and not a right. The potential for the loss of revenue does not justify the privilege of continuing to discharge when the discharge is out of compliance.

Conclusion:

We did not revise the TO in response to this comment.

Comment 16 – Request for combined reporting and extended due date

The Discharger requests that the following “requested” information be combined into a single information “request” with a due date of 90 days from adoption of the Order:

- Provision 3 – Design Plans of Constructed Wastewater Systems
- Provision 6 – Operation and Maintenance Program
- Monitoring requirement 12 of the SMP – Wastewater System Tank, Fixture, and Drain Inventory

Response:

It is important to clarify that the TO (upon adoption) does not “request” information submittal, it requires it. All three of these requirements pertain to wastewater treatment and disposal systems that have been designed, installed, and running since fall 2013 or earlier. We see no reason for providing a full three months, post TO adoption, to the Discharger to provide this information, which should already exist and be in use; the 30-day deadline the TO provides should be sufficient. However, if the Discharger would like to submit the reports together, that is acceptable; there is nothing in the TO that precludes the Discharger from submitting various deliverables—all of which share a deadline—together in one package.

Conclusion:

We did not revise the TO in response to this comment.

Comment 17 – Self-Monitoring Program implementation start date

The Discharger suggests a revised time schedule for the implementation of groundwater monitoring requirements in the Self-Monitoring Program (SMP). Provision C.7.c requires that groundwater monitoring be implemented when the WDRs are adopted (i.e., same startup schedule as all other

required monitoring). The Discharger suggests an implementation date of 30 days after adoption of the Order.

Response:

The suggested revision is not appropriate. The language in the TO is a standard requirement. The monitoring in question pertains to groundwater. The Discharger completed construction of the required two new monitoring wells in 2013 and has already initiated monitoring at these wells, through two sets of sampling and analyses completed in fourth quarter of 2013 and second quarter of 2014. The rationale for delay of formal implementation of monitoring is unclear.

Conclusion:

We did not revise the TO in response to this comment.

Comment 18 - Groundwater impairment mitigation measures, quarterly status reports

For quarterly status reports required by Provision 9.b, the Discharger requests submittal of reports along with the regular routine monthly reports and not as separate submittals.

Response:

The request is appropriate.

Conclusion:

We revised Provision 9.b to include this sentence:

It is acceptable for the quarterly reports to be submitted concurrent with, and under the same cover as, the current monthly monitoring report.

Comment 19 - Compliance with alternative compliance actions

The Discharger expresses concern that the WDRs may expire in two years, and compliance options are dependent on other entities. The Discharger suggests additional language for Provision C.9.c, Alternative Compliance Actions, 2) Action Plan, to specify the protocol to be followed if the Discharger is unable to develop an acceptable Action Plan in a timely manner.

Response:

The Discharger's assertion that compliance options are dependent on external stakeholders is incorrect. We understand that there are multiple parties and nuances involved in the Discharger's pursuit of a connection to the adjacent City of Livermore's municipal sanitary sewer or of other possible alternative compliance actions. Nevertheless, the primary party in all of these options is the Discharger. The Discharger remains responsible for the Discharger's actions and appropriate control of its discharges. With respect to compliance with the requirements of the TO, the Discharger has not provided any documentation to indicate that compliance cannot be accomplished.

With respect to potential connection to the City of Livermore's municipal sanitary sewer, we notified the Discharger of the need to seriously evaluate this option during early discussions about the ROWD in 2011. In 2012, we organized a meeting of the Discharger and all key stakeholders to initiate discussion of implementation constraints and actions. We remain available for consultation and

communication about all aspects of the WDRs and options for appropriate compliance. There is no need for a specific protocol in the TO about consultation meetings between the Water Board and the Discharger or other stakeholders.

With respect to the Action Plan for alternative compliance actions that the Discharger has commented about, the TO requires the Discharger to submit an acceptable Action Plan no later than one year and three months after adoption of the Order. The Discharger has not submitted any information to indicate that compliance with this requirement cannot be accomplished successfully.

Conclusion:

We did not revise the TO in response to this comment.

Comment 20 - Schedule for investigation of water management options report requirement

The TO has a due date of six months after Order adoption. The Discharger requests a revised due date of one year, to allow for a more comprehensive analysis.

Response:

This suggested revision is acceptable. We revised the due date in Provision 9.e. as follows:

Due Date: This report shall be submitted to the Water Board no later than ~~six (6)~~ twelve (12) months after adoption of this Order.

**Comment 21 - Revise conflicting monitoring frequency specification for winery process water
21.a – Monitoring specification at Self Monitoring Program Part V.B.3.b**

The TO states the monitoring frequency for winery process wastewater during crush period is weekly (W). The Discharger suggests we change this to twice per month (2/M), consistent with the tentative SMP, Table 1.

Response:

We agree. The "weekly" reference was an error in the TO.

Conclusion:

We revised tentative SMP Part V.B.3.b to read as follows:

b. During the wine grape crush season, winery process wastewater monitoring frequency shall be conducted ~~Weekly~~ twice per month, for BOD, and TSS, and ~~Twice per Month~~, for Nitrogens

21.b and 23 – Compliance monitoring of winery wastewater streams

The Discharger suggests compliance monitoring should include sampling from the combined winery wastewater stream.

Response:

The winery process wastewater and bottling wastewater are two significantly different waste streams. The information presented in the ROWD about these wastewater streams is consistently presented as two different waste streams, including proposed methods of control and monitoring.

The ROWD presents very little information about the winery wastewater as a combined winery wastewater stream. Compliance characteristics in the TO such as flow limits and water quality parameters are consistently presented in terms of two separate streams.

Accordingly, the TO includes monitoring and compliance requirements for the two separate wastewater streams. The TO also includes monitoring specifications for the combined wastewater in order to characterize the final discharge to land, but the compliance values for quantity and quality discharge levels remain allocated to the two separate waste streams, consistent with the ROWD.

Conclusion:

We did not revise the TO in response to this comment.

21.c – Frequency of monitoring for winery wastewater streams

The tentative SMP specifies sampling for WQ parameters (BOD, TSS, pH, Nitrogen, etc.) as:

Process Wastewater during Non-Crush	M
Process Wastewater during Crush	2/M
Bottling Wastewater	M
Combined Winery wastewater	M

If we are reading the comment correctly (the wording is confusing and contradictory to statements earlier in the same paragraph), the Discharger suggests that the combined winery wastewater should be monitored more frequently than the separate process wastewater stream.

Response:

The SMP specifies sampling for winery process wastewater during crush at twice the frequency of monitoring during non-crush. The rationale for this increased monitoring frequency is that this waste stream is anticipated to be of variable quality during the crush period. If the Discharger desires to conduct monitoring of the combined winery wastewater more frequently than the minimum frequency specified in the SMP, the Discharger may do so. All monitoring information must be reported, whether from minimum required monitoring or voluntary additional monitoring.

Conclusion:

We modified the tentative SMP to add the following language to Requirement 5.G:

G. ADDITIONAL MONITORING MUST BE REPORTED

The Discharger may elect to collect more data than is required in this SMP. All data collected, regardless of whether it was specifically required in the SMP, must be reported to the Water Board in the next sequential required monitoring report submittal. In the case of composite sampling and averaging, all collected data must be used in the composites and averaging calculations.

22. Routine Monitoring Report Schedule

The tentative SMP specifies submittal of routine monitoring reports on a monthly basis. The Discharger suggests we change this to requiring quarterly reports only.

Response:

The suggested change is not appropriate. The monthly report requirement is standard in most Water Board orders for wastewater systems. For some facilities, such as those with low flows or consistent quantity, quality, and compliance records, quarterly reporting may be acceptable. This facility has an extremely limited record of monitoring practices or monitoring data to characterize its discharges and their management. The Discharger has not yet implemented the monitoring the Discharger itself recommended in the ROWD.

In addition, the SMP already includes, at section VI. A.1.c, "Future Quarterly Reports", specifications and a protocol for the Discharger to request change from monthly to quarterly reporting, after documented successful operation, maintenance, and monitoring in accordance with the monthly reporting protocol.

Conclusion:

We did not revise the TO in response to this comment.

Comment 24 – tentative SMP Table 1: Composite sampling of the winery process wastewater and wine bottling wastewater

The Discharger recommends that specifications for composite sampling on the separate process wastewater and bottling wastewater streams should be removed.

Response:

The Discharger has reported that the bottling wastewater is relatively stable in character, both in quantity and quality. The use of grab samples for routine characterization of this waste stream is acceptable.

However, the Discharger has reported that the process wastewater stream is variable in quantity and quality. The use of composite samples for variable wastewater is appropriate. The use of grab samples for routine characterization of this waste stream may be acceptable, once the Discharger demonstrates that grab samples are suitable and provides equivalent monitoring information.

The SMP includes, at Part V.F, *Modification of Monitoring Practices*, specifications that allow for modification of monitoring practices, in consideration of acceptable data and acceptable alternate means of monitoring. The protocol includes submittal of a technical report to the Water Board and corresponding written response from the Executive Officer authorizing any allowable changes. The Discharger can follow this protocol for evaluating and proposing the potential use of grab samples instead of composite samples for the routine characterization of the winery process wastewater. Otherwise, composite sampling of the process wastewater appears to be appropriate.

Conclusion:

We revised Table 1, at the row labelled "Type of Sample", in the column for station code 8 (Bottling Wastewater), to change "€" to "G", indicating grab samples are acceptable for this sampling.

Comment 25 – tentative SMP Table 1: Clarify monthly or quarterly sampling for bottling wastewater

The Discharger requests clarification of sampling frequencies for selected parameters for the Bottling Wastewater.

Response:

We agree that clarification is warranted. The schedule in Table 1 includes, for several parameters, for Bottling Wastewater sample station, a monitoring frequency code given as "M/Q". This is a combination of the codes otherwise used for Monthly or Quarterly. The "M/Q" code is a mistake. The sampling frequency for the bottling wastewater stream should be Monthly (code "M" in Table 1), for all parameters.

Conclusion:

We revised SMP Table 1 for all four instances in the Table where the monitoring frequency code is given: "~~M/Q~~".

Comment 26 – tentative SMP Table 1: Clarification of monitoring intended for flow monitoring identified as "Event"

The Discharger notes that, for monitoring stations 11, 12, 13, and 14, the tentative SMP Table 1 specifies a monitoring frequency of "Event" for the parameter "Flow Volume". The Discharger requests clarification of the intended monitoring practices.

Response:

The intent is that the Discharger should monitor and report any atypical flows at the identified stations during special events such as maintenance events (e.g., water flushed into the system for equipment cleaning, or waste material pumped out of the system).

Conclusion:

We revised SMP Part V.B.1 as follows:

- a. All flows shall be monitored continuously in a manner sufficient to measure, record and report the daily flow volume for each day of operation, and the monthly flow volume for each calendar month.
- b. Flows shall be reported as Daily Flow, in gallons, for each day when flow occurs, and Monthly Flow, in gallons, for each calendar month.
- c. EVENT flow monitoring is to characterize flows into or out of the wastewater system during special events such as service or repair or replacement of components.

Letter Two - Zone 7 Water Agency

1. General Comments

Thank you for the opportunity to comment. Zone 7 concurs with the approach taken in the draft WDRs towards water quality protection and with the proposed requirements and time schedules to mitigate NO₃-N loading within two years.

Response:

Noted - no revisions needed.

2. Site located over impaired portion of groundwater basin

This site is in an impaired portion of the groundwater basin. Levels of nitrate in this area already exceed basin objectives. New nitrate loading in this area could exacerbate the situation. We support the regulatory approach and 2-year time frame taken in the TO.

Response:

Noted - no revisions needed.

3a. Clarify Zone 7 role in groundwater monitoring

Zone 7 notes that the description of groundwater monitoring required by the Order is unclear about Zone 7's role. Zone 7 suggests the wording in the TO, Finding 28.b, and the tentative SMP, Part V.C.2, on page 11, be revised to clarify Zone 7's role.

Response:

We agree and acknowledge that the SMP would not be issued to Zone 7 but to the Discharger.

Conclusion:

We revised Finding 28.b to clarify it is the Discharger's, as opposed to Zone 7's, responsibility to construct and monitor the new groundwater wells. Specifically, we revised Finding 28.b to read:

"The ROWD includes description of proposed groundwater monitoring stations and protocol and a technical report describing the work plan for installing two new monitoring wells. The proposal includes four wells-- two existing Zone 7 groundwater monitoring wells located upgradient of the wastewater systems and two new wells located downgradient of the wastewater systems. The new wells are located on facility property along the north property boundary, ~~to~~ will be constructed and monitored by the Discharger and then monitored by Zone 7 as part of the agency's Zone 7's ongoing area-wide groundwater monitoring program. The Discharger will provide Zone 7 with the access to the wells and the groundwater data collected from the wells. Conversely, Zone 7 plans to share all the monitoring results for these two wells and the two upgradient wells with the Discharger as appropriate. Zone 7 will also consider allowing the Discharger to access Zone 7's two upgradient wells as needed."

Furthermore, we revised Part V.C.2 to delete the monitoring requirements as follows:

- b. ~~Upgradient monitoring wells are owned and maintained by Zone 7. Water levels are measured by Zone 7 semiannually and water quality analysis samples are collected by Zone 7 annually.~~

4. Reports to be submitted to others

Zone 7 requests to receive copies of the required discharge monitoring annual report, preferably in electronic format.

Response:

Suggestion is acceptable.

Conclusion:

We added an additional section to the SMP's Part VII:

B. Zone 7 Water Agency.

The Discharger shall submit to Zone 7 a copy of the Annual Monitoring Report as specified in Part VI.A.6.

Staff-Initiated Changes

In addition to making minor editorial and formatting changes, we made the following changes:

Staff-initiated change 1. County Use Permit # (at Finding 6)

Blank in the TO's Finding 6, "Facility Uses and County Use Permits":

The Discharger provided the information left blank to us by email on May 15, 2014, which has been incorporated into the finding:

Alameda County Conditional Use Permit # C-8710, approved by Alameda County on 2/4/2008.

Staff-initiated change 2.

Tentative SMP, V.B.9.c: Prior wording had separate inconsistent requirements for wet and dry seasons. We revised the wording to simplify and clarify observations as applicable all year:

- c. Check area perimeter for proper hydraulic containment of wastewater. ~~During dry season, Note any seepage. During wet season, Note any concentrated runoff flows.~~

Staff-initiated change 3.

Tentative SMP V.B.12.a, 3rd sentence: we revised the wording to clarify the requirement.

- a. Inventory.

The Discharger shall complete an inventory of all tanks, drains, and plumbing fixtures within the facility used for the control of wastewater. The inventory shall include as-built, installed tank locations and characteristics. Location information shall include a cross-reference to a current facility site plan, drawing, or map, and map coordinates of each tank access port.