



# CVCWA

## Central Valley Clean Water Association

*Representing Over Fifty Wastewater Agencies*

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April 20, 2012

*Via Electronic Mail*

Robin Merod  
Regional Water Quality Control Board  
Central Valley Region  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670  
[rmerod@waterboards.ca.gov](mailto:rmerod@waterboards.ca.gov)

**Re: Comments on the Tentative Waste Discharge Requirements for the City of Oakdale, Oakdale Wastewater Treatment Facility**

Dear Ms. Merod:

The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to submit these comments on the tentative waste discharge requirements (Tentative Order) for the City of Oakdale's Oakdale Wastewater Treatment Facility (Oakdale WWTF). CVCWA is a non-profit organization representing more than 50 publicly owned treatment works throughout the Central Valley Region in regulatory matters affecting surface water discharge, land application, and water reuse. We approach these matters with a perspective to balance environmental and economic interests consistent with state and federal law.

For the following reasons, CVCWA respectfully requests that you revise the Tentative Order as follows: (1) modify the appropriate provisions to reflect that the applicable water quality objective for total dissolved solids (TDS) is a range, rather than 500 milligrams/liter (mg/L); (2) base any groundwater limitation for chloride on a thorough consideration of site-specific conditions; and (3) replace the proposed collection system requirements with the provision suggested below.

**A. The Tentative Order Should Be Modified to Reflect That the Groundwater Objective for TDS Is a Range, Rather Than 500 mg/L**

The Tentative Order includes a groundwater limitation of 500 mg/L for TDS purportedly to prevent degradation of the municipal use. (Tentative Order at pp. 9, 20-21.) Finding 40 of the Tentative Order characterizes the applicable water quality objective for TDS as the secondary maximum contaminant level (MCL) of 500 mg/L. (*Id.* at pp. 8, 12.) CVCWA submits that the actual groundwater objective is a range, not 500 mg/L, and thus the Tentative Order should be revised accordingly.

The applicable basin plan incorporates by reference tables from Title 22 of the California Code of Regulations as numeric water quality objectives for groundwater designated for municipal use. (*Water Quality Control Plan for the Central Valley Region* (4th ed., rev. Oct. 2011) at p. III-10.00.) The tables incorporated include Table 64449-B, which contains secondary MCLs for TDS. (*Ibid*; Cal. Code. Regs., tit. 22, § 64449.) As the State Water Resources Control Board (State Water Board) recognized in Order WQ 2009-0005,<sup>1</sup> the secondary MCLs “consist of a *range* of values—recommended, upper, and short-term values.” (Order WQ 2009-0005 at p. 15, emphasis added.) For TDS, these values are 500 mg/L, 1,000 mg/L, and 1,500 mg/L, respectively. In Order WQ 2009-0005, the State Water Board compared the permittee’s monitoring data for salinity to the *upper* MCL. (*Id.* at pp. 14-15.) The Tentative Order needs to be revised to clearly indicate that the water quality objective for TDS is not 500 mg/L as indicated in Finding 40 of the Tentative Order, but rather a range. Further, the Tentative Order also needs to be revised to clearly explain why the Central Valley Regional Water Quality Control Board (Regional Water Board) has applied the lowest end of the range in this case, versus some other appropriate value within the range.

**B. The Chloride Groundwater Limitation Is Inappropriate, as It Is Not Based on a Thorough Consideration of Site-Specific Conditions**

The Tentative Order includes a groundwater limitation of 106 mg/L for chloride purportedly to prevent groundwater degradation from salinity. (Tentative Order at pp. 20-21.) The groundwater limitation is based on the agricultural water quality objective of 106 mg/L derived from “Water Quality for Agriculture” by Ayers and Wescot, Food and Agriculture Organization of the United Nations (1985) (UN Report). (*Id.* at p. 12.)

The UN Report was at issue in State Water Board Order WQO 2004-0010.<sup>2</sup> In that order, the State Water Board determined that the UN Report’s salinity value of 700 micromhos per

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<sup>1</sup> State Water Board Order WQ 2009-0005, as amended by Order WQ 2012-0001, *In the Matter of Own Motion Review of City of Lodi Waste Discharge Requirements and Master Reclamation Permit* (Order No. R5-2007-0113 [NPDES No. CA0079243]) (Feb. 7, 2012) or “Order WQ 2009-0005.”

<sup>2</sup> State Water Board Order WQO 2004-0010, *In the Matter of the Own Motion Review of City of Woodland Waste Discharge Requirements* Order No. R5-2003-0031 [NPDES No. CA0077950] and *Cease and Desist* Order No. R5-2003-0032 (Sept. 2, 2008).

centimeter for electrical conductivity “cannot be interpreted as an absolute value” and could not unilaterally be adopted into the City of Woodland’s permit as an effluent limitation. (Order WQO 2004-0010 at p. 7.) “Rather, the Regional Board must determine whether site-specific conditions applicable to Woodland’s discharge allow some relaxation in this value.” (*Ibid.*) The State Water Board explained that the preface to the UN Report makes clear that the true suitability of a water body depends on the specific conditions of the use and on the management capability of the user. (*Ibid.*) The State Water Board further explained that there are a variety of options available for managing salinity. (*Ibid.*) The State Water Board concluded that the Regional Water Board needed to consider site-specific conditions to determine the appropriate effluent limitation, in lieu of adopting the agricultural water quality goal. (*Id.* at p. 8.)

CVCWA therefore believes that the Regional Water Board’s adoption of the agricultural water quality goal of 106 mg/L for chloride is similarly inappropriate. We submit that any groundwater limitation for chloride applicable to the Oakdale WWTF should be based on a thorough consideration of site-specific conditions and request that you revise the Tentative Order accordingly.

**C. Provision 21 Regarding Collection Systems Should Be Revised to Eliminate Potential Regulatory Confusion and Be Consistent With Recently Adopted Waste Discharge Requirements**

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We agree with the Tentative Order that all public agencies that own or operate sanitary sewer systems greater than one mile in length must comply with the State Water Resources Control Board’s Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Order 2006-0003 or “General WDRs”). (Tentative Order at p. 15.) Therefore, we believe that Provision 21 of the Tentative Order requiring the Oakdale WWTF to continue to comply with the General WDRs is appropriate. (See *id.* at p. 30.) However, we are concerned that Provision 21 of the Tentative Order may frustrate regulatory compliance with the General WDRs and/or Tentative Order if adopted. (See *id.* at p. 26.) In particular, the requirements of Provision 21 related to notification and remedial action are redundant or in addition to requirements in the General WDRs and thus unnecessary and potentially confusing.

Accordingly, we request that you revise Provision 21 of the Tentative Order as follows:

The Discharger shall comply with the requirements of the Statewide General Waste Discharge Requirements (General WDRs) for Sanitary Sewer Systems (Water Quality Order 2006-0003), the Revised General WDRs Monitoring and Reporting Program (Water Quality Order 2008-0002-EXEC), and any subsequent revisions thereto. Water Quality Order 2006-0003 and Order 2008-0002-EXEC require the Discharger to notify the Central Valley Water Board and take remedial action upon the reduction, loss, or failure of the sanitary sewer system resulting in a sanitary sewer overflow. ~~Upon the reduction, loss, or failure of the sanitary sewer system resulting in a sanitary sewer overflow, the~~

~~Discharger shall notify the Central Valley Water Board in accordance with Water Quality Order 2008-0002-EXEC and take any necessary remedial action to (a) control or limit the volume of sewage discharged, (b) terminate the sewage discharge as rapidly as possible, and (c) recover as much as possible of the sewage discharged (including wash down water) for proper disposal. The Discharger shall implement all applicable remedial actions including, but not limited to, the following:~~

- ~~a. Interception and rerouting of sewage flows around the sewage line failure;~~
- ~~b. Vacuum truck recovery of sanitary sewer overflows and wash down water;~~
- ~~c. Use of portable aerators where complete recovery of the sanitary sewer overflows are not practicable and where severe oxygen depletion is expected in surface waters; and~~
- d. ~~Cleanup of sewage related debris at the overflow site.~~ (See Tentative Order at p. 30.)

CVCWA requested a similar change to the recently proposed waste discharge requirements for the City of Hughson Wastewater Treatment Facility (Hughson WDRs). As a result, Regional Water Board staff recommended, and the Regional Water Board adopted, a provision striking the redundant or additional language in that tentative permit and adopting a provision identical to that suggested above. (See R5-2012-0003 at p. 20.) Therefore, the change we propose is consistent with the recently adopted Hughson WDRs and current Regional Water Board practice.

We appreciate your consideration of these comments and our requested revisions. Please contact me at (530) 268-1338 or [officer@cvcwa.org](mailto:officer@cvcwa.org) if I can be of further assistance.

Sincerely,



Debbie Webster,  
Executive Officer

cc: Pamela Creedon, Central Valley Regional Water Quality Control Board  
(Via Electronic Mail: [pcreedon@waterboards.ca.gov](mailto:pcreedon@waterboards.ca.gov))

John Word, City of Oakdale (Via Email to: [jaword@ci.oakdale.ca.us](mailto:jaword@ci.oakdale.ca.us))