



CVCWA

Central Valley Clean Water Association

Representing Over Fifty Wastewater Agencies

MICHAEL RIDDELL – Chair, City of Riverbank
CASEY WICHERT – Secretary, City of Brentwood

TERRIE MITCHELL – Vice Chair, Sacramento Regional CSD
TONY PIRONDINI – Treasurer, City of Vacaville

October 19, 2015

Via Electronic Mail Only

Mr. Tyson Pelkofer
Water Resources Control Engineer
Regional Water Quality Control Board,
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670
RB5S-NPDES-Comments@waterboards.ca.gov
tyson.pelkofer@waterboards.ca.gov

RE: Comments on the Tentative NDPES Permit Renewal for City of Galt, Wastewater Treatment Plant and Reclamation Facility, Sacramento County

Dear Mr. Pelkofer:

The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to comment on the tentative NDPES permit renewal for the City of Galt, Wastewater Treatment Plant and Reclamation Facility (Tentative Order). CVCWA is a non-profit association of public agencies located within the Central Valley region that provide wastewater collection, treatment, and water recycling services to millions of Central Valley residents and businesses. We approach these matters with the perspective of balancing environmental and economic interests consistent with state and federal law. In this letter, we provide the following comments regarding the justification for the mercury effluent limitation and the reporting protocols under the Monitoring and Reporting Program.

I. Explanation for Mercury Effluent Limitation

The Tentative Order proposes a final water quality-based effluent limitation for total mercury of 0.05 pounds/year, as a total annual mass discharge.¹ However, there is no reasonable potential analysis in the Fact Sheet explaining why a water quality-based effluent limitation is necessary. Under federal NPDES regulations, water quality-based effluent limitations are only imposed when the discharge of a pollutant will cause, have the reasonable potential to cause, or contribute to an excursion of a water quality standard (i.e., a water quality objective under state law).² 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.³

CVCWA requests that the reasonable potential analysis for the mercury limitation be added to the Fact Sheet for the Tentative Order. Based on the historical monitoring data set forth in Table F-2, the highest monthly discharge of total mercury was 0.03 lbs/year,⁴ suggesting that a water quality-based effluent limitation is not appropriate. If the analysis confirms that there is no reasonable potential, then the effluent limitation for total mercury should be removed.

II. Reporting Protocols for Receiving Water Monitoring Requirements

CVCWA requests that footnote 2 to Table E-5⁵ (listing the receiving water monitoring requirements) be revised to delete references to samples related to priority pollutants. Table E-5 does not include requirements related to monitoring priority pollutants, thus, reference Appendix 4 of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (2005) (SIP) are inappropriate here.

///

///

///

///

///

¹ Tentative Order, p. 5.

² 40 C.F.R. § 122.44(d)(1).

³ 40 C.F.R. § 124.56(a).

⁴ Tentative Order, p. F-6.

⁵ *Id.*, p. E-9.

Mr. Tyson Pelkofer

Re: CVCWA Comments on the NDPES Permit Renewal for
City of Galt, Wastewater Treatment Plant and Reclamation Facility

October 19, 2015

Page 3 of 3

We appreciate your consideration of these comments. If you have any questions or if CVCWA can be of further assistance, please contact me at (530) 268-1338 or eoofficer@cvcwa.org.

Sincerely,



Debbie Webster
Executive Officer

cc (*via email*): Pamela Creedon, Central Valley Regional Water Quality Control Board
(pcreedon@waterboards.ca.gov)