

Regional Water Quality Control Board
Central Valley Region
Board Meeting – 25/26 October 2007

Response to Written Comments for J.F. Shea Construction, Inc., dba Fawndale
Rock and Asphalt
Tentative Waste Discharge Requirements

The following are responses to written comments received from interested parties in response to the Tentative Waste Discharge Requirements (NPDES No. CA0083097) for the J.F. Shea Construction, Inc., dba Fawndale Rock and Asphalt facility issued on 27 August 2007. Written comments from interested parties on the tentative Order were required to be received by the Regional Water Quality Control Board (Regional Water Board) by noon on 27 September 2007 in order to receive full consideration. Comments were received by the due date from the following parties:

1. J.F. Shea Construction, Inc., dba Fawndal Rock and Asphalt
2. Lehigh Southwest Cement Company

Written comments from the above interested parties are summarized below, followed by the response of the Regional Water Board staff.

J.F. Shea and Lehigh Cement Comments

Both interested parties submitted similar comments and are concerned that naturally occurring levels of suspended sediment will cause exceedances of the proposed receiving water limits for aluminum, iron, and manganese. They request that the receiving water limitations be removed.

RESPONSE

Regional Water Board staff do not agree that inclusion of receiving water limitations for aluminum, iron, and manganese is inappropriate. The Discharger's own monitoring data indicates that the regulated discharge contains elevated concentrations of these pollutants. The Basin Plan specifically includes the federal and state maximum contaminant levels (MCLs) as standards to be met in receiving waters. The tentative Order appropriately includes receiving water limitations based on the MCLs. The interested parties may not clearly understand that the Discharger will not be held responsible for natural background concentrations of these pollutants. Regional Water Board staff have proposed a revision to the tentative Order to clarify how compliance with the receiving water limitations will be determined.

09/28/2007, 11:30am
BJS