



October 27, 2008

Mr. Ken Landau
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

Subject: Tentative Waste Discharge Requirements and Time Schedule Order for Discovery Bay Wastewater Treatment Facility

Dear Mr. Landau:

California Urban Water Agencies (CUWA) has reviewed the subject Tentative Order for the Town of Discovery Bay Wastewater Treatment Facility and would like to commend Central Valley Regional Water Quality Control Board (Regional Water Board) staff on their commitment to protecting the drinking water beneficial use in the Delta. Many of CUWA's members rely on the Delta as a source of drinking water.

CUWA is working with the Regional Water Board on the technical studies needed to address numerous water quality concerns and to support a Basin Plan amendment to provide greater protection of drinking water supplies. The key constituents of concern to drinking water providers are organic carbon, nutrients, salinity, bromide and pathogens. The Drinking Water Policy technical studies include an evaluation of the loads of these constituents from sources in the watershed and an evaluation of the measures that can be taken to control the key sources. Based on the current schedule for the Drinking Water Policy efforts, CUWA expects that the Basin Plan will be amended in 2009 or 2010 to incorporate additional protection of drinking water supplies.

Nitrate and Ammonia Effluent Limitations

The Town of Discovery Bay has previously operated the oxidation ditch to nitrify and denitrify, resulting in relatively low effluent concentrations of ammonia (0.1–1.2 mg/L) and nitrate (2.7–16 mg/L as N). The Tentative Order contains effluent limitations that are substantially higher than the historic effluent concentrations. CUWA requests that the Regional Water Board require Discovery Bay to continue to nitrify/denitrify and achieve effluent concentrations that are in the same range as historic concentrations. Although there is assimilative capacity in Old River for ammonia and nitrate, it is unreasonable and inconsistent with the Antidegradation Policy to assign the full assimilative capacity to the Discovery Bay Wastewater Treatment Facility discharge.

Reopener Provisions

Since the waste discharge requirements for Discovery Bay will extend to 2013, CUWA requests that the Regional Water Board add the same reopener provision on the Drinking Water Policy that was added to the Stockton Order:

455 Capitol Mall, Suite 705, Sacramento, CA 95814 916.552.2929 FAX 916.552.2931

“Central Valley Drinking Water Policy. If water quality objectives are adopted for organic carbon, nutrients, salinity, bromide, or pathogens to protect drinking water supplies in the Central Valley Region, this Order may be reopened for addition and/or modification of effluent limitations and requirements, as appropriate, to require compliance with the applicable water quality objectives.”

CUWA appreciates the inclusion of a reopener provision on ammonia. We request that the provision be modified to include the same language that was included in the Stockton Order:

“Ammonia Studies. The ammonia effluent limitations in this Order are based on USEPA’s recommended National Ambient Water Quality Criteria for protection of freshwater aquatic life. However, studies are ongoing to evaluate the effect of ammonia on the inhibition of growth of freshwater diatoms in the Delta, as well as, studies to evaluate the sensitivity of delta smelt to ammonia toxicity. Based on the result of these or other studies, this Order may be reopened to modify the ammonia effluent limitations, as appropriate.”

Notification of Drinking Water Agencies

CUWA requests that the Regional Water Board include a requirement in the Order to immediately notify downstream drinking water agencies if there are spills of untreated or partially treated wastewater from the Discovery Bay Wastewater Treatment Facility or collection system that reach Delta waters. The Regional Water Board modified the Standard Provision of the Stockton permit as follows:

“f. The Discharger shall take all reasonable steps to minimize any adverse effects to waters of the State or users of those waters resulting from any discharge or sludge use or disposal in violation of this Order. Reasonable steps shall include such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge or sludge use or disposal, and adequate public notification to downstream water agencies or others who might contact the non-complying discharge.”

CUWA has already contacted the Town of Discovery Bay and requested notification in the event of a spill (Attachment 1).

CUWA appreciates the efforts of Regional Water Board staff to protect drinking water quality. If you have any questions on our comments, please call me at 916-552-2929.

Sincerely,



Elaine M. Archibald
Executive Director



July 23, 2008

Mr. Virgil Koehne
Discovery Bay CSD
Discovery Bay WWTP
1037 Discovery Bay Blvd
Discovery Bay, CA 94514

Subject: Wastewater Spill Notification Request

Dear Mr. Koehne:

The California Urban Water Agencies (CUWA) is an organization of eleven of the largest municipal water providers in California. Our member agencies serve over 23 million customers in Sacramento, the Bay Area, and Southern California. CUWA's member agencies use about 90 percent of the urban water supplies taken from the Sacramento-San Joaquin Delta and its tributaries so we have a great interest in seeing that the drinking water beneficial use is adequately protected in the Central Valley.

We are requesting notification in the event of a raw or partially treated wastewater spill larger than 1000 gallons. Several of our member agencies directly impacted by spills in the Delta have designated contacts which are included as an attachment to this letter. We ask that notification occur within 24 hours of the occurrence to allow for the potential impact at drinking water intakes to be assessed.

We greatly appreciate your cooperation in this effort. Please call me if you have any questions or need additional information.

Sincerely,

Elaine Archibald
Executive Director

cc: Pamela Creedon, Executive Officer, Central Valley Regional Water Quality Control Board