

Central Valley Regional Water Quality Control Board  
9/10 October 2014 Board Meeting

Response to Comments  
for the  
City of Woodland  
City of Woodland Water Pollution Control Facility  
Tentative NPDES Permit Renewal  
and Tentative Time Schedule Order Amendment

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The following are Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) staff responses to comments submitted by interested parties regarding the tentative Waste Discharge Requirements for NPDES Permit No. CA0077950 (NPDES Permit) renewal and tentative Time Schedule Order (TSO) Amendment for the City of Woodland (Discharger), City of Woodland Water Pollution Control Facility (Facility).

The tentative NPDES Permit was issued for a 30-day public comment period on 1 August 2014 and comments were due 2 September 2014. The Central Valley Water Board received public comments regarding the tentative documents by the due date from the following:

- Central Valley Clean Water Association (CVCWA)

Changes were made to the tentative NPDES Permit based on public comments received. The submitted comments were accepted into the record, and are summarized below, followed by Central Valley Water Board staff responses.

**NOTE: This proposed NPDES Permit will be the first to incorporate the proposed Delta Regional Monitoring Program (RMP) provisions. The proposed Delta RMP Agenda Item is concurrently at this October Board Meeting. The Delta RMP Item will be heard prior to this proposed NPDES Permit Renewal. Therefore, depending on the outcome of the proposed Delta RMP Board Item, any adopted changes made to the proposed Delta RMP during the Board discussion may result in corresponding changes to the proposed NPDES Permit Renewal.**

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## **CVCWA COMMENTS**

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### **CVCWA Comment I. Compliance Determination Language**

CVCWA has asked for clarification of how Delta RMP data will be used with respect to determining compliance with the NPDES Permit. Specifically, the tentative Order states that receiving water data that is not specifically required to be collected by the permit, i.e., data collected from the Delta RMP, will not be used directly to determine that the discharge is in violation of the permit. It also states that data from the Delta RMP may be used in conjunction with other data to determine if a discharge is in compliance with the permit. To ensure consistency between the compliance determination language and the Monitoring and Reporting Program (MRP), CVCWA has recommended the following revised compliance determination language:

As described in Section VIII of Attachment E, ~~S~~such data may be used, if scientifically defensible, in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

**RESPONSE:** We concur with the proposed change in the compliance determination language and have modified the proposed compliance determination language as shown in underline/strikeout format below.

### **Section VII. Compliance Determination**

Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations. Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. As described in Section VIII of Attachment E, ~~S~~such data may be used, if scientifically defensible, in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

In addition, CVCWA contends that it is not clear what happens to the evaluation of compliance determination for receiving water parameters if the Discharger decides to participate in the Delta RMP. For example, under the MRP in the tentative Order, the Discharger must monitor temperature at receiving water monitoring locations RSW-001 and RSW-002. The Compliance Determination language in the Discharger's tentative Order provides that compliance with the temperature receiving water limitation will be determined based on the difference in temperature measured at RSW-001 and RSW-002. However, if the Discharger participates in the Delta RMP, the Discharger is not required to monitor the receiving water.

**RESPONSE:** Changes to the compliance determination language in the tentative NPDES Permit is not necessary. Prior to participation in the Delta RMP, the Discharger is required to submit a letter to the Central Valley Water Board that outlines the specific monitoring locations and constituent combinations that will no longer be conducted by the Discharger. In other words, if the Discharger chooses to participate in the Delta RMP and receiving water temperature monitoring is no longer conducted, compliance with the temperature receiving water limitations would be evaluated in accordance with the new compliance determination language discussed above. The compliance determination procedures discussed in the Discharger's proposed NPDES Permit would only be used if the Discharger conducts temperature monitoring at RSW-001 and RSW-002.

### **CVCWA Comment II. Special Reopener Provisions**

CVCWA points out that the Special Reopener Provision in the tentative NPDES Permit allows the permit to be reopened once the Central Valley Water Board develops a Regional Monitoring Program for the Sacramento-San Joaquin Delta. CVCWA contends this reopener should be deleted or revised to account for the adoption of the Delta RMP.

**RESPONSE:** We concur that the reopener provision should be removed. Additional amendments to the NPDES Permits might be needed over time to facilitate RMP participation, but a reopener is not specifically needed to allow those amendments. Accordingly, the Special Reopener Provision has been removed from the proposed NPDES Permit.

### **CVCWA Comment III. Effluent and Receiving Water Characterization**

CVCWA comments that in the tentative NPDES Permit, the Discharger may select between conducting receiving water monitoring for the characterization monitoring or relying on data from the Delta RMP for such characterization. However, the proposed language does not clarify if the Discharger will be required to provide supplemental data if the Delta RMP does not collect all constituents listed in the characterization monitoring within the permit. Therefore, CVCWA requests additional clarification in the MRP to include data the Discharger may be required to provide even if they choose to participate in the Delta RMP.

**RESPONSE:** We concur that Delta RMP monitoring may not fulfill all data needs to support the next renewal of the NPDES Permit. The Discharger may need to conduct supplemental individual monitoring to address their water quality issues, particularly if the Discharger has or would like to have dilution credit for their discharge. Various changes were made to the tentative NPDES Permit in accordance with the proposed Delta RMP to clarify this issue.