



California Sportfishing Protection Alliance

"An Advocate for Fisheries, Habitat and Water Quality"

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15 September 2006

Mr. Robert Schneider, Chairman
Ms. Pamela Creedon, Executive Officer
Mr. Kenneth Landau, Assistant Executive Officer
Mr. James Marshall, Sr. WRC Engineer
Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6144

VIA: Electronic Submission
Hardcopy if Requested

RE: Amendment of Waste Discharge Requirements (NPDES No. CA0081558) for
City Of Manteca Wastewater Quality Control Facility, San Joaquin County

Dear Messrs Schneider, Landau, Marshall and Ms. Creedon;

The California Sportfishing Protection Alliance, Watershed Enforcers and San Joaquin Audubon (CSPA) has reviewed the Central Valley Regional Water Quality Control Board's (Regional Board) tentative amendment of the NPDES permit (Order or Permit) for the City of Manteca (Discharger) Wastewater Quality Control Facility (WWTF) and submits the following comments.

Despite the fact that the public comment period closes on 15 September 2006, the proposed Permit is identified on the agenda as an uncontested item. CSPA requests the Permit be removed from the Uncontested Items Calendar and seeks status as a designated party for this proceeding. CSPA is a 501(c)(3) public benefit conservation and research organization established in 1983. CSPA has actively promoted the protection of water quality throughout California before state and federal agencies, the State Legislature and Congress and regularly participates in administrative and judicial proceedings on behalf of its members to protect, enhance, and restore California's degraded surface and ground waters. CSPA's members reside and recreate in and around San Joaquin County and the City of Manteca.

1. The proposed Resolution is the fifth resolution amending the Discharger's Permit and C&D since their adoption in 2004. In order to avoid reopening the Permit for much needed revisions, staff has piecemealed the Order with a series of ongoing resolutions. Given the significant changes to the facility, the Permit must be reopened.
2. The proposed Order fails to require the Discharger to conduct a reuse site evaluation for Title 22, which is approved by the California Department of Health Services (DHS). Section 60323(a) of Title 22 states that no person shall produce or

supply recycled water for direct reuse from a proposed water recycling plant unless an engineering report is submitted for review and approval by DHS and the Regional Board. Irrigation of fodder crops, as well as irrigation of turf grass, trees, and pasture is considered a beneficial reuse. The Discharger must complete an Engineering Report for the new land application areas.

3. Order No. R5-2004-0028 required that the Discharger complete a Title 22 Engineer Report by January 2006. The proposed Resolution fails to discuss if the Discharger completed the report on time or if the current treatment facility can even comply with Title 22 requirements. In addition, the Resolution did not include any comment made by DHS regarding the Title 22 report. In accordance with the existing MOU with DHS, DHS comments regarding Title 22 reports must be incorporated into the Order. The proposed Resolution fails to incorporate DHS's comments regarding the Title 22 report.

4. The proposed Resolution fails to prohibit the discharge of wastewater to land when soils are saturated such as after rain events. Irrigation with recycled water must not be performed within 24 hours of a forecasted storm, during or within 24 hours after any precipitation event, or when the ground is saturated.

5. The proposed Resolution fails to prohibit use of the recycled water from purposes other than irrigation, which were not specified in the RWD for the new land application areas. We recommend, "The use of recycled water for purposes other than irrigation as defined in Title 22 § 60304(a) and this Order is prohibited."

6. The proposed Resolution fails to require that all irrigation systems for the water conveyance and distribution piping and equipment for the new land application areas must comply with California Department of Health Services requirements and American water Works Association (AWWA) *Guidelines for Distribution of Non-Potable Water* and *Guidelines for the On-site Retrofit of Facilities Using Disinfected Tertiary Recycled Water* with the exception of the pipe installation addressed in the 9 February 2005 DHS letter titled, *Recycled Water Main & Sanitary Sewer Force Main Separation Requirements*, and as approved by DHS.

7. The proposed Resolution fails to provide site-specific information regarding the proposed project without which the public cannot make meaningful comments. The proposed Resolution is deficient in that it fails to provide the following necessary information pertaining to the land application areas and water quality:

- a. Site soil conditions, including soil type and percolation rates.
- b. Depth of underlying groundwater, gradient of the groundwater, background groundwater characteristics and groundwater quality underlying the existing land application areas including the unlined ponds.
- c. Site map showing the locations of groundwater monitoring wells for the existing land application areas and locations of any new monitoring wells.

- d. Location of domestic, municipal, industrial, and agricultural groundwater wells situated near the facility. In addition, the location of dewatering projects including reclamation ditches and reclamation pump stations.
- e. Crop types to be grown and the expected nutrient removal rates.
- f. Sludge (biosolids) characteristics and field loading rates, total N loading rates (including organic N), total dissolved solids loading rates and the heavy metal accumulation rates for the soils.
- g. The land uses surrounding the proposed land application areas or the degree of potential access by employees and the public including farm workers.
- h. Basic weather conditions that will influence irrigation practices and the type of crops grown such as the annual precipitation and the mean pan evaporation rate. Crop and irrigation practices have the potential to impact water quality of the underlying groundwater and waste-loading rate for the land application areas.

The 2004 Order (R5-2004-0028) required the Discharger to conduct a groundwater investigation and to report the results to the Regional Board by 2005. In addition, the Discharger was also required to evaluate nutrient and sludge loadings to the existing land application area. The proposed Order fails to discuss the results of these reports and investigations. Consequently, staff has failed to provide the necessary background information necessary for the public to make meaningful comments and instead is continuing to use a piecemeal approach to amend the Order. Further, there is no discussion of the compliance status of the facility.

8. The Order indicates that the treatment facility may have chemical additions of sodium hydroxide. Potassium is more likely to be taken up by the crop in land application areas. The Discharger should be encouraged to consider use of potassium hydroxide rather than sodium hydroxide.

9. The Resolution fails to require a Pollution Prevention Plan in order to reduce/control sources of waste constituents that may affect groundwater quality. Basic source control and reduction is necessary for a facility to comply with Resolution 68-16. Without conducting a Pollution Prevention Plan, the Discharger has not implemented the necessary BPTC measures. The Resolution does not demonstrate that the Discharger has actually implemented BPTC and is not supported by the appropriate antidegradation analysis. Therefore, increased degradation underlying groundwater by the expansion of new land application cannot be authorized in that it does not comply with Resolution 68-16.

10. The action to adopt or amend an NPDES permit is exempt from the provision of Chapter 3 of the California Environmental Quality Act (CEQA) only if the order does not authorize a new "project." In accordance with the California of Code Regulations, "Project" means an activity, which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The new land application area expands the disposal site beyond size of the previous

authorized area. The land use historically for the new area was agricultural and therefore waste disposal may reasonably have a change on the environment and, as such, this is a new “project.” The proposed Resolution fails to consider CEQA for the new project area.

11. The proposed Resolution fails to expand the groundwater-monitoring network to include the new land application areas.

12. The proposed Resolution fails to monitor the reuse areas for compliance with the Order requirements and to ensure agronomic rates are not exceeded. Below is an example of the typical monitoring requirements for land application areas that have routinely been placed in Regional Board Orders.

Recycled Water & Land Application Area Monitoring

Monitoring of each recycled water land application area shall be conducted daily during the irrigation season, and the results shall be included in the monthly monitoring report. All land application areas shall be inspected following an irrigation event to identify any equipment malfunction or other circumstances that might allow recycled water to runoff the land application area and/or create ponding conditions that violate the Waste Discharge Requirements. Evidence of erosion, saturation, irrigation runoff, or the presence of nuisance conditions shall be noted in the report. A log of these inspections as well as any public complaints of runoff shall be kept at the facility and made available for review upon request.

Effluent monitoring results shall be used in calculations to ascertain loading rates at the land application area. Monitoring of the land application area shall include the following:

Constituent	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Flow	Gallons	Continuous	Daily	Monthly
Rainfall	Inches	Observation	Daily	Monthly
Acreage Applied ¹	Acres	Calculated	Daily	Monthly
Water Application Rate ²	gal/acre day	Calculated	Daily	Monthly
Total Nitrogen Load Rate ²	Lbs/ac month	Calculated	Monthly	Monthly
TDS Loading Rate ²	Lbs/ac month	Calculated	Monthly	Monthly

¹ Land application areas shall be identified and a map identifying all land application areas included.

² For each land application area.

For the reasons enumerated above, the proposed Order is seriously deficient, fails to comport with regulatory requirements and is not protective of human health or groundwater and should be withdrawn, revised and subsequently recirculated for additional public review.

Thank you for considering these comments. If you have questions or require clarification, please don't hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Jennings". The signature is fluid and cursive, with the first name "Bill" written in a larger, more prominent script than the last name "Jennings".

Bill Jennings, Executive Director
California Sportfishing Protection Alliance