Heritage Ranch Community Services District

4870 Heritage Road, Paso Robles, California 93446

(805) 227-6230 • fax 227-6231

January 17, 2006

Mr. Roger Briggs
Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Subject: Response to Tentative Waste Discharge Requirements Order No. R3-2006-0012 for Heritage Ranch Community Services District

Dear Mr. Briggs:

The California Regional Water Quality Control Board (RWQCB) issued Heritage Ranch Community Services District (District) the subject NPDES permit/waste discharge requirements (WDR) on December 12, 2005. The following comments are in response to the draft WDR.

1. Page F-3

   - On page F-3, the description in the last paragraph notes "Treated wastewater is typically diverted to the holding pond when the percolation/evaporation ponds are full." This is not the typical operation of the District. The District's main discharge facility is the holding pond. Based on requests from the RWQCB to reduce direct stream discharge, the District diverts approximately 20 percent of the flow to the percolation/evaporation beds, which is the capacity of the percolation/evaporation beds.

2. Unnamed Drainage Way

   - The unnamed drainage way, at the point of discharge 001, for the majority of the year, has no *natural* flow. The water present in the unnamed drainage way is typically only effluent water, which travels approximately 1.5 miles and then percolates into the Monterey formation of the groundwater basin. The unnamed drainage way has *natural* flow (surface runoff) only during heavy rain events or sustained rain events. The description provided on page F-4 of the WDR is correct. However, throughout the WDR, other references to the unnamed drainage way are not described in the same manner as on page F-4. These references, throughout the WDR should be clarified to match the description written on page F-4.

   - Page E-3, Monitoring Locations Table, R-001 and R-002 should read ...when *natural* flow exists.

3. Chlorine Limits

   The draft WDR proposes a chlorine residual limit of non-detect (ND) at M-001. At this time, the District can meet this requirement when effluent is discharged from holding pond 3. When effluent is directly discharged from the force main to the sand filters, the District cannot meet this requirement at the discharge point 001. The purpose of this requirement is to protect the aquatic life of the receiving waters, the unnamed drainage way and the Nacimiento River. The unnamed drainage way does not have aquatic life since it is not a live stream the majority of the year. The treated effluent that is discharged to the unnamed drainage way travels for approximately 1.5 miles and then percolates to groundwater prior to reaching the Nacimiento River the majority of the year. The District feels that the ND limit can be met if monitoring were to occur in the unnamed drainage way, upstream of its confluence with the Nacimiento River, during the time when flow actually reaches the Nacimiento River. The District is recommending that chlorine not be monitored in the effluent at discharge point 001. Instead, we propose to monitor downstream a minimum of 500 feet, when natural flow exists and has potential for reaching the Nacimiento River. If this is unacceptable by the RWQCB, a compliance schedule will be required to design and construct a dechlorination facility.

4. Copper, Mercury, & 4,4-DDD Effluent Limitation

   Based on monitoring results over the past five years, the RWQCB is placing limitations on the above three constituents. This is based on the District not meeting the limitations set by the California Toxics Rule, which was established by the Environmental Protection Agency (EPA) to protect the drinking waters of the public.

   The District is not a high-risk public agency since the service area is comprised primarily of residential units. In addition, in 2002 the District set-up a hazardous household waste disposal site for its customers to dispose of old pesticides and other contaminants. This will further reduce the risk of metals and pesticides in the District's wastewater. The final limitations set in the draft WDR are significantly lower than that of the drinking water standards. Since the District complies with all of the drinking water standards and the District has made efforts to eliminate the potential for metal and pesticide contamination, these constituents should only be monitored over the term of the permit. The District is requesting limitations not be placed on these three constituents.

   - If the RWQCB does not eliminate the limitations of these three constituents, the limitation level should be reconsidered based on the hardness of the unnamed drainage way, not the Nacimiento River. At the time of the three readings there was no *natural flow* in the unnamed drainage way and the effluent did not reach the Nacimiento River to cause an impact. However, the RWQCB is basing these limitations on the hardness of the Nacimiento River. It is requested the RWQCB revisit the limitations based on the hardness of the unnamed drainage way during flow conditions.

- The RWQCB is setting the final limitation for 4,4-DDD at 0.00059 ug/l. The District has contacted labs in this region and in other regions to determine if they were capable of testing to this level. Out of the 16 labs contacted, none were capable of testing to the level stated in the draft WDR. The technology available at this time is unable to meet these requirements. This limitation is an unreasonable request based on the technology available to test wastewater effluent. The District requests the limitation be set at 0.03 ug/l or higher, which is an acceptable level that local wastewater quality testing labs should be capable of meeting based on today's technology. If the limitation stays at 0.00059 ug/l, be advised that the District will be unable to comply with this requirement.

5. Acute Toxicity Testing

   - The District's current discharge orders require the District to test the receiving waters, once during the term of the permit, for acute *or* chronic toxicity (page 8 of the WDR Order No. 01-006). Due to the nature of the wastewater, the District in the past has not violated this requirement. The necessity for acute toxicity testing is to protect receiving water quality from the water aggregate toxic effect of a mixture of pollutants in the effluent. It is requested that the new WDR allow the District to continue Acute testing of receiving waters at R-002, when there is natural stream flow, instead of discharge point 001.

   - In addition, page F-17, the end of the first paragraph reads "Due to the consistent, domestic nature of wastewater treated by the Discharger, the Regional Board has concluded that discharges will not cause, have reasonable potential to cause, or contribute to chronic toxicity in receiving waters; and therefore, chronic toxicity limitations are not currently being established by the Order. A chronic toxicity-monitoring requirement is retained by Order No. R3-2006-0012." Also, Page F-21, last sentence of the first bulleted item reads "The chronic toxicity-monitoring requirement (one-time during the permit term) is retained from Order No. 01-006." On this same page, in section C, last sentence "...as well as monitoring requirements for chronic toxicity to determine compliance with the Basin Plan's narrative water quality objective for toxicity." It is the District's understanding that an effluent limitation for acute toxicity testing will be required annually, however, based on the final effluent limitations on page 9, chronic toxicity limits or monitoring is no longer required. This determination is not clear based on the information provided in the sentences above. Please clarify this requirement.

   - Toxicity Reduction Evaluation Work Plan – The District does not currently have a toxicity reduction work plan. The District requests a compliance schedule be provided to allow the District time to comply with this requirement.

6. Page 13 in the Table, "Sufate" should be "Sulfate"

7. Page 18 and 19, First paragraph of A and item H are the same.

8. Percolation Beds

   At the request of the RWQCB to look for alternative methods of disposal, the District installed percolation/evaporation beds. The District currently utilizes these beds approximately 20 percent of the time to reduce the amount of surface water discharge to the unnamed creek and provide an emergency disposal alternative. Currently, these beds have extremely low percolation rates. Exact percolation rates are unknown at this time. The little water that does percolate, does hit bedrock and travel towards the unnamed drainage way. It is not visually apparent that water daylights at the unnamed drainage way. Due to this unknown factor, the RWQCB is requiring the District to line the percolation/evaporation ponds and convert them to complete evaporation ponds under the compliance schedule provided on page 16 of the WDR. Lining the ponds may create a situation of high total dissolved solids concentrations in the evaporation ponds in the future. The following are two alternatives the District is recommending for the percolation/evaporation beds:

   - The first alternative is to implement an approved groundwater monitoring program, installing monitoring wells to establish groundwater gradient and to monitor upgradient and downgradient water quality. Monitoring results would be subject to groundwater limitation set forth on page 13, Groundwater Limitations of the WDR. If compliance is achieved on a continual basis, we propose to continue percolation disposal and continue long term monitoring the groundwater basin per page 13 of the WDR. The District would require a compliance schedule to meet this alternative.

   - The second alternative is to complete an analysis of the options available for the site, which would eliminate the percolation beds. This could include spray irrigation, evaporative wetlands, or another disposal method available that may provide the District with higher disposal yields. The District requests that the WDR not require the District to line the ponds at this time, but to simply phase out, not eliminate the percolation beds by an acceptable means, and over a reasonable time schedule. The District does not want to commit to lined evaporation ponds if this does not provide the best long-range alternative for disposal.

   - The District currently monitors at Discharge Point 001 and is required to meet the final effluent limitations set forth in the draft WDR. If RWQCB requires the District to line the ponds, as noted in the draft WDR, and the District is meeting the final effluent limitations, there would no longer be a potential impact to the groundwater basin. Therefore, the District requests that groundwater basin monitoring be eliminated from the discharge order.

9. GW-001 Location

   The District currently monitors groundwater at an existing groundwater supply well that is located 1 mile from the discharge point. This monitoring is allowed under the current discharge orders (page 9 of the WDR Order No. 01-006). The District requests to continue to use this monitoring well or an adjacent well to monitor groundwater. If this is unacceptable by the RWQCB, a compliance schedule will be required to install a new well to monitor groundwater.

10. Effluent Monitoring

    The District requests that the constituents requiring semi-annual monitoring (TDS, Sodium, Chlorides, and Nitrate) have specified monitoring dates for January and July.

11. Receiving Water Limitations

    Page 13, RWL V. A. 23 – The WDR places unnecessary water limits for TDS on the Nacimiento River. The District should not be required to meet these objectives if they are meeting the objectives set forth at monitoring location R-002. This requirement should be removed from the WDR.

12. Nitrate

    The District requests to make the clarification for final effluent limitations (page 9), Nitrate with the limit of 8.0 mg/L be noted as "Nitrate (as N)", as stated in the existing permit.

If you have any questions regarding these comments, please contact me at (805) 227-6230.

Sincerely,

John D'Ornellas, General Manager
Heritage Ranch Community Services District

Cc: Craig Campbell/Kari Wagner – Wallace Group