CITY OF
LOMPOC

March 27, 2008

Mr. Roger Briggs
Executive Officer
Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

SUBJECT: **Draft Resolution No. R3-2008-0025, Modification to the Molybdenum Effluent Limitations in the City of Lompoc Regional Wastewater Treatment Facility Waste Discharge Requirements Order No. R3-2006-0037, Santa Barbara County**

Dear Mr. Briggs:

The City of Lompoc ("City") has received the notification of availability and Draft Resolution No. R3-2008-0025 ("Draft Resolution") regarding the modification to molybdenum effluent limitations in the City's Regional Wastewater Treatment Facility Waste Discharge Requirements ("RWWTF") Order No. R3-2006-0037. On behalf of the City, I would like to thank you and your staff for working with us to resolve issues related to molybdenum concentration levels in the City's effluent. Based on the results of the City's *Molybdenum Characterization Study Second Quarterly Report* ("Molybdenum Characterization Study"), we believe that the Central Coast Regional Water Quality Control Board's ("Regional Water Board") proposed action to amend the City's existing final effluent limitations for molybdenum is appropriate. Thus, we support Regional Water Board adoption of the Draft Resolution.

The City has carefully reviewed the text in the Draft Resolution and provides the following comments on the proposed text for further clarification and to ensure consistency with the City's Molybdenum Characterization Study. Our comments are as follows.

Finding 3 at (p. 1) – The first paragraph of this finding must be revised to properly reflect the effective date of the final effluent limits for molybdenum. We recommend the following revision:

> "Order No. R3-2006-0037 prescribes the following effluent limits for molybdenum, which were first established as final effluent limits ~~effective May 18, 2006~~, in Order No. 01-87, which became effective on July 7, 2006."

Item No. 20 Attachment No. 2
May 9, 2008 Meeting
Lompoc WWTP

CITY HALL, 100 CIVIC CENTER PLAZA, P.O. BOX 8001, LOMPOC, CA 93438-8001
(805) 736-1261; FAX: (805) 736-5347

Finding 3 (at p. 2) – The last two sentences need to be revised to provide further clarification regarding molybdenum treatment at the RWWTF. We recommend the following modification:

> "The City also completed a design for molybdenum treatment processes, and estimated the additional construction cost at approximately ~~3.2~~ 5.4 million dollars and operating costs of 500,000 dollars per year. Due to recent receiving water data, the City believes that construction, operations, and maintenance costs for molybdenum treatment are ~~infeasible~~ unreasonable and unjustified because of the uncontrollable nature of molybdenum in the influent."

Finding 4 (at p. 2) – Order No. R3-2006-0037 required the City to conduct a study and evaluation to determine molybdenum concentrations in the City's influent. Thus, language in finding 4 must be revised to properly reflect the language contained in Order No. R3-2006-0037, as is suggested below:

> "The TSO requires the City to conduct a comprehensive molybdenum study to identify the source of molybdenum concentrations in the City's ~~effluent~~ influent."

Finding 5 (at p. 2) – The first sentence should be revised as follows:

> "The City and Central Coast Water Board staff met on November 13, 2007, to discuss the preliminary characterization report for molybdenum."

Finding 5 (at p. 2) – The last sentence should be revised as follows:

> "As a result of the meeting, Central Coast Water Board staff requested that the City finalize the preliminary characterization report with some minor ~~additions~~ modifications."

Finding 5 (at p. 3) – To better clarify the statistical analysis conducted, the first sentence on page 3 should be revised as follows:

> "Additionally, staff requested that the City conduct a statistical analysis of data collected to determine whether the data are ~~statistically significant~~ accurate and reliable.

Finding 6 (at p. 3) – To properly characterize the previous study conducted by Kennedy-Jenks in 2004, the second paragraph should be revised as follows:

> "The City previously conducted a study to determine if any domestic source contributed to the molybdenum in the City's wastewater. The City's *Evaluation of Metal Loadings and Discharge Limits Study (Kennedy/Jenks, 2004)* demonstrated no significant difference between molybdenum concentrations found in the city's collection system wastewater and the City's water supply. Therefore, the evaluation identified no possible anthropogenic sources contributing to elevated molybdenum concentrations. The City's *Molybdenum Characterization Study* (2007) corroborates the findings in the *Kennedy/Jenks 2004* study."

Finding 6 (at p. 3) - The first sentence of the third paragraph should be revised because it relates to monitoring data collected as part of the Molybdenum Characterization Study and not the study immediately referenced in the preceding paragraph. Thus, the first sentence of the third paragraph should be revised as follows:

> "As part of the *Molybdenum Characterization Study*, the City collected approximately seven months of receiving water data from both San Miguelito Creek and the Santa Ynez River."

Finding 6 (at p. 3) – The last sentence of the third paragraph should be revised to correct the following typographical error:

> "San Miguelito Creek monitoring results ~~for~~ are presented below."

Finding 6 (at p. 3) - The last two sentences of paragraph four of finding 6 should be deleted. At times, the City's effluent is the only source of water in San Miguelito Creek. Thus, to ensure that there are no expectations that the City's effluent will dilute molybdenum concentrations, we recommend removal of the last two sentences.

> "~~Further review of the data reveals that the city wastewater treatment facility's effluent has a significant effect on the receiving water molybdenum concentrations. It appears that the effluent discharges reduce molybdenum concentrations by approximately 66 percent~~."

Table for Santa Ynez River Molybdenum Monitoring Results (at p. 4) – Footnote 3 must be revised to accurately reflect that the location was sampled only once:

> "3 – Locations ~~were~~ was sampled once due to predominantly dry conditions."

Finding 7 (at p. 4) – The finding incorrectly states the number of sampling locations. Thus, the third sentence should be changed as follows:

> "Data for 20 ~~to 30~~ of 23 sampling locations yielded a coefficient of variation of 0.13 or less, indicating a high level of precision."

Finding 7 (at p. 4) – The last several sentences of this finding need to be revised to clarify the power analysis as well as the variability in sampling locations. We recommend the following revisions:

> "The power analysis further concluded confidence in the data set and that the data collected demonstrated statistical ~~significance~~ accuracy and reliability. A small number of sampling locations (i.e., ~~Santa Ynez River~~ San Miguelito Creek Upstream and Vandenberg Air Force Base water supply) concluded some variability, but calculations were based ~~in~~ on insufficient data from these locations. In the case of the San Miguelito Creek Upstream location, concentrations varied due to extremely low flows and in many cases, samples were taken from what appeared to be standing, pooled water. Variability in the Vandenberg Air Force Base water supply was due to routine maintenance that altered the ratio of state water to well water."

Finding 10 (at p. 5) – In order to ensure consistency with Clean Water Act requirements and clarify that Order No. R3-2006-0037 is being modified by the Resolution, we recommend the following revisions:

> "Based on the findings in this Resolution and the information in the record, this Resolution ~~would revise~~ modifies Order No. R3-2006-0037 by ~~to~~ establishing final effluent limits for molybdenum that are less stringent than the final effluent limits currently set forth in that Order. … Clean Water Act section 402(o)(2)(B)(i) allows renewed, reissued, or modified permits to contain effluent limits less stringent than those established in the previous permit based on new information or data that was not available at the time of permit issuance that would have justified a less stringent effluent limit."

Finding 10 (at p. 5) – As mentioned above, it may not be accurate to suggest that the City's discharge may improve water quality. There are times that the City's discharge is the only flow available in San Miguelito Creek. Thus, we recommend that the fifth sentence of this paragraph be modified as follows:

> "In this case, the new information supports the conclusion that the receiving waters are naturally high in molybdenum concentrations, that the discharge at the proposed effluent limit concentrations would not further degrade the receiving waters ~~and in fact may improve their quality~~, that the causes of the

high molybdenum concentrations in the receiving waters are uncontrollable consistent with the Basin Plan policy, and that the discharge is controlled using best practicable treatment or control."

Finding 11 (at p. 5) – This finding must clearly state why the proposed modification to Order No. R3-2006-0037 is consistent with federal regulations at 40 CFR section 122.44(d). As currently proposed, we are concerned that the finding does not clearly demonstrate compliance with applicable federal regulations. In lieu of the language as currently drafted, we recommend that the following paragraph replace the existing text in finding 11:

"Federal regulations at 40 CFR 122.44(d) require state issued NPDES permits to contain effluent limits where the discharge will cause or contribute, or have reasonable potential to cause or contribute, to an excursion above a state water quality standard. The receiving water exceeds the applicable water quality standard due to uncontrollable factors that are not the result of anthropogenic activities. As a result, the City's discharge does not cause or contribute, or have reasonable potential to cause or contribute to an excursion above the water quality standard for molybdenum.

The Basin Plan states that where degradation is caused by uncontrollable water quality factors, controllable conditions shall not cause further degradation of water quality. The new final effluent limits in this Order will not cause further degradation of the receiving waters and are set at the level of current performance for the RWWTF, as indicated below: (table remains the same.)

With the clarifications recommended above, the City is comfortable with the Draft Resolution. Thus, we encourage Regional Water Board adoption of the Draft Resolution with the recommended revisions at its May 9, 2008 scheduled meeting in San Luis Obispo. Thank you again for your assistance and the assistance of your staff. Should any of you have any questions, please do not hesitate to contact me as soon as possible.

Sincerely,

Susan L. Halpin
Wastewater Superintendent

cc: Harvey Packard, Central Coast Regional Water Board
David LaCaro, Central Coast Regional Water Board
Ronald V. Stassi, City of Lompoc Utilities Director