Response to Written Comments
Draft Waste Discharge Requirements
Order No. R1-2022-0017
National Pollutant Discharge Elimination System (NPDES)
For the
City of Healdsburg Wastewater Treatment, Recycling and Disposal Facility
Regional Water Quality Control Board, North Coast Region
October 7, 2022

Comments Received

The deadline for submittal of public comments regarding draft Waste Discharge Requirements for Order No. R1-2022-0017, National Pollutant Discharge Elimination System Permit (Draft Permit) for the City of Healdsburg (City or Permittee) Wastewater Treatment, Recycling and Disposal Facility (Facility) was July 16, 2022. Regional Water Board staff (Staff) only received written comments from the Permittee.

Regional Water Board staff virtually met with the Permittee on September 8, 2022 to discuss the Permittee's comments. Responses to comments contained in this document are consistent with the discussion that occurred during the September 8, 2022 meeting.

This Response to Comments document includes a summary of Permittee's comments, Staff responses, and staff-initiated changes. Text added to the Proposed Permit is identified by underline and text to be deleted from the Proposed Permit is identified by strike-through in this document. The term "Draft Permit" refers to the version of the permit that was sent out for public comment. The term "Proposed Permit" refers to the version of the permit that has been modified in response to comments received and is being presented to the North Coast Regional Water Quality Control Board (Regional Water Board) for consideration.

City of Healdsburg Comments:

Comment No. 1: *The City identified that the reasonable potential for ammonia to cause or contribute to an exceedance of water quality objectives is based on erroneous data. The City previously identified that the November 15, 2016 ammonia sample data were the result of laboratory error and reported this conclusion to the Regional Water Board in a letter dated January 26, 2017. Re-analysis of the samples indicated non-detect results, however the sample hold times had already elapsed. The City requests that the Regional Board re-evaluate the historical records for the City's ammonia*

concentrations for ammonia. The November 2016, sample was the only sample reported above detection limits and the sample for this date was re-tested, and ammonia concentration was determined to be not detected.

Response to Comment No. 1: Staff acknowledge that the City identified the November 15, 2016 effluent sample result for ammonia as being erroneous, but consistent with how staff evaluates other constituents covered by the State Implementation Policy, staff uses all available, valid, relevant, representative data and information when completing the required reasonable potential analysis. For this sample, the City identified that the reported data was inconsistent with historical results, but the laboratory report does not indicate any exceptions to the quality control data or to the sample that would support that the sample result is invalid. Subsequent re-analysis of this sample did not result in an ammonia detection at or above the laboratory reporting limit, however this subsequent analysis was performed outside of the recommended hold time and therefore should not be used preferentially to the analysis completed correctly under all laboratory test method procedures and requirements. Without further evidence that the original November 15, 2016 sample analysis for ammonia was invalid, Regional Water Board staff consider this data valid, and the reasonable potential analysis determination for ammonia must be retained.

However, Staff wish to recognize the consistent performance of the Permittee's treatment system and have identified the Permittee's ability to request a reduction in their monitoring requirements. As such, table note 13 has been added to Table E-3 (Effluent Monitoring – Monitoring Location EFF-001) and table note 9 has been added to Table E-5 (Receiving Water Monitoring Requirements – Monitoring Location RSW-001) as follows:

E-3. Effluent Monitoring – Monitoring Location EFF-001 [13]

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method [1]
Effluent Flow [2,3]	mgd	Meter	Continuous	---
Dilution Rate	% of stream flow	Calculation	Daily	---

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method [1]
Biochemical Oxygen Demand 5 day @ 20°C (BOD_5)	mg/L	24-hr Composite	Weekly [4]	Standard Methods
Total Suspended Solids (TSS)	mg/L	24-hr Composite	Weekly [4]	Standard Methods
pH	standard units	Grab	Weekly [4,5]	Standard Methods
Temperature	°C	Grab	Weekly [5]	Standard Methods
Total Coliform Bacteria	MPN/100 mL	Grab	Weekly [4]	Standard Methods
E. coli Bacteria [6]	MPN/100 mL	Grab	Weekly	Standard Methods
Aluminum, Total Recoverable	µg/L	Grab	Monthly	Standard Methods
Hardness, Total (as $CaCO_3$) [7]	mg/L	Grab	3X/5 Years	Standard Methods
Ammonia Nitrogen, Total (N)	mg/L	24-hr Composite	Monthly [8]	Standard Methods
Ammonia Nitrogen, Unionized	mg/L	Calculation	Monthly	Standard Methods

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method [1]
Dissolved Oxygen	mg/L	Grab	Monthly	Standard Methods
Nitrate Nitrogen Total (as N)	mg/L	Grab	Monthly	Standard Methods
Phosphorus, Total (as P)	mg/L	Grab	Monthly	Standard Methods
CTR Priority Pollutants [9]	µg/L	24-hr Composite	3X/5 Years	Standard Methods [10,11]
Chronic Toxicity [12]	Pass or Fail, and % Effect	24-hr Composite	Quarterly	See Section 5 Below

Table Notes

1. In accordance with the current edition of Standard Methods for Examination of Water and Wastewater (American Public Health Administration) or current test procedures specified in 40 C.F.R. part 136.
2. Each month, the Permittee shall report the daily average and monthly average flows.
3. Effluent flow is measured at a point that is downstream of the membrane filters and upstream of the UV disinfection system.
4. Accelerated Monitoring (weekly monitoring frequency). If two consecutive weekly test results exceed an effluent limitation, the Permittee shall take two samples each of the two weeks following receipt of the second sample result. During the intervening period, the Permittee shall take steps to identify the cause of the exceedance and take steps to return to compliance.
5. Monitoring for pH and temperature must coincide with monthly monitoring for ammonia.
6. The Permittee may use any *E. coli* method specified in 40 CFR 136 for compliance monitoring.
7. Effluent and receiving water hardness samples shall be collected concurrently with effluent CTR Priority Pollutant samples.
8. Accelerated Monitoring (monthly monitoring frequency). If a test result exceeds an effluent limitation the Permittee shall take two more samples, one within 14 days and one within 21 days following receipt of the initial sample result. During the

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method [1]
intervening period, the Permittee shall take steps to identify the cause of the exceedance and take steps needed to return to compliance. 9. Those pollutants identified by the California Toxics Rule at 40 C.F.R. section 131.38. The Permittee is not required to sample and analyze for asbestos. Hardness shall be monitored concurrently with the priority pollutant sample. 10. CTR pollutant samples shall be collected using 24-hour composite sampling, except for pollutants that are volatile. 11. Analytical methods must achieve the lowest minimum level (ML) specified in Appendix 4 of the SIP and, in accordance with section 2.4 of the SIP, the Permittee shall report the ML and MDL for each sample result. 12. Whole effluent chronic toxicity shall be monitored in accordance with the requirements of section 5 of this Monitoring and Reporting Program. 13. <u>After the first year of monitoring, at the request of the Permittee the Regional Water Board may, at its Executive Officer's discretion, and after receiving and analyzing the required water quality monitoring data, choose to reduce and/or eliminate certain monitoring requirements for constituents that routinely are found in concentrations below water quality objectives.</u>				

Table E-5. Receiving Water Monitoring Requirements – Monitoring Location RSW-001 <u>9</u>

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method[1]
Effluent Flow[2]	mgd	Meter	Daily	---
Biochemical Oxygen Demand 5 day @ 20°C (BOD_5)	mg/L	Grab	Monthly	Standard Methods
pH	standard units	Grab	Monthly[3]	Standard Methods
Aluminum, Total Recoverable	µg/L	Grab	Monthly[4]	Standard Methods

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method[1]
Dissolved Organic Carbon	mg/L	Grab	Monthly[4]	Standard Methods
Hardness, Total (as $CaCO_3$)[5]	mg/L	Grab	~~3X/5 years~~ Monthly[4]	Standard Methods
E. coli ~~Bactetia~~Bacteria[6]	MPN/100 mL	Grab	Monthly	Standard Methods
Ammonia Nitrogen, Total (N)	mg/L	Grab	Monthly[3]	Standard Methods
Ammonia Nitrogen, Unionized	mg/L	Grab	~~Monthly[3]~~ Calculation	Standard Methods
Temperature	°C	Grab	Monthly	Standard Methods
Turbidity	NTU	Grab	Monthly	Standard Methods
Nitrate Nitrogen, Total (as N)	mg/L	Grab	Monthly	Standard Methods
Phosphorus, Total (as P)	mg/L	Grab	Monthly	Standard Methods
CTR Priority Pollutants[7]	µg/L	Grab	Once per permit term	Standard Methods[8]

Table Notes

1. In accordance with the current edition of Standard Methods for Examination of Water and Wastewater (American Public Health Administration) or current test procedures specified in 40 C.F.R. part 136.
2. The flow rate shall be determined using the sum of the flows at United States Geological Survey (USGS) Gauge No. 11-4640-00 in the Russian River near Healdsburg and USGS Gauge No. 11-4653.50 in Dry Creek near its mouth.
3. Monitoring for pH and temperature must coincide with monthly effluent monitoring for ammonia.

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method[1]
4. Monitoring for receiving water aluminum, pH, dissolved organic carbon, and hardness shall be conducted concurrently with effluent monitoring for aluminum. 5. Hardness samples shall be collected concurrently with effluent CTR Priority Pollutants samples. 6. The Permittee may use any *E. coli* method specified in 40 CFR 136 for compliance monitoring. 7. Those pollutants identified by the California Toxics Rule at 40 C.F.R. section 131.38. The Permittee is not required to sample and analyze for asbestos. Hardness shall be monitored concurrently with the priority pollutant sample. Monitoring shall occur simultaneously with the first effluent monitoring for CTR priority pollutants required by section 4.1 of this MRP. 8. Analytical methods must achieve the lowest minimum level (ML) specified in Appendix 4 of the SIP and, in accordance with section 2.4 of the SIP, the Permittee shall report the ML and MDL for each sample result. 9. After the first year of monitoring, at the request of the Permittee the Regional Water Board may, at its Executive Officer's discretion, and after receiving and analyzing the required water quality monitoring data, choose to reduce and/or eliminate certain monitoring requirements for constituents that routinely are found in concentrations below water quality objectives.				

Comment No. 2: *The City identifies that the date of the current Title 22 Recycled Water Engineering Report, identified in Section 4.3.2.3 of the Draft Order, should be January 2021 and not December 2019.*

Response to Comment No. 2: Section 4.3.2.3 of the Proposed Permit has been updated to reflect the January 2021 acceptance date for the Permittee's Title 22 Recycled Water Engineering Report. The Proposed Permit has been modified as follows:

4.3.2.3. The Permittee shall implement its DDW-accepted ~~December 2019~~January 2021 title 22 Recycled Water Engineering Report (and any subsequent amendments thereto). The Permittee shall submit revisions and updates to the title 22 Recycled Water Engineering Report to reflect any changes in operations and recycled water management or new use types.

Comment No. 3: *The City identifies that the dewatered biosolids are currently being transported to Hay Road Landfill in Vacaville, CA. The City suggests re-phrasing the first sentence of this section 6.3.5.3.12 of the Draft Order to read: "The Permittee*

currently sends all dewatered biosolids for landfill disposal at the Redwood Landfill in Novato, CA or the Hay Road Landfill in Vacaville CA.".

Response to Comment No. 3: Section 6.3.5.3.12 of the Proposed Permit has been updated to reflect the additional location used for dewatered biosolids disposal as follows:

6.3.5.3.12. The Permittee currently sends all dewatered sludge for landfill disposal at the Redwood Landfill in Novato, California or Hay Road Landfill in Vacaville, California. The Permittee shall notify the Regional Water Board prior to changing biosolids use or disposal practices

Comment No. 4: *The City identifies that Draft Order sections 6.3.5.3.11 and 6.3.5.4.3 are identical and asks if this is intentional.*

Response to Comment No. 4: The duplication of the identified sections was not intentional and Section 6.3.5.3.11 of the Proposed Order has been removed.

Comment No. 5: *The City identifies that Draft Order sections 7.8.1 and 7.8.4 are identical and asks if this is intentional*

Response to Comment No. 5: The duplication of the identified sections was not intentional and Section 7.8.4 of the Proposed Permit has been removed.

Comment No. 6: *The City identifies that Draft Order sections 7.8.2 and 7.8.7 are nearly identical and asks if this is intentional*

Response to Comment No. 6: The duplication of the identified sections was not intentional and Section 7.8.7 of the Proposed Permit has been removed.

Comment No. 7: *The City asks if the monitoring frequency for hardness, identified in Table E-5 of the Draft Order as 3X/5 years, should be monthly to coincide with the aluminum monitoring. Additionally, the City identifies a spelling error in Table E-5 of the Draft Order, and that they believe the sample type for unionized ammonia nitrogen should be "Calculation" and not "Grab".*

Response to Comment No. 7: The monitoring frequency for hardness should be monthly, as suggested by the City, to coincide with effluent monitoring for aluminum and receiving water monitoring for aluminum, pH, and dissolved organic carbon. The sample type for unionized ammonia nitrogen should be "Calculation" as identified by the City. Table E-5 of the Proposed Permit has been modified as shown in Response to Comment No. 1.

Comment No. 8: *The City identifies that the reference to Special Provision 6.3.3.2 in Table E-7 of the Draft Order should reference Special Provision 6.3.3.1.*

Response to Comment No. 8: Table E-7 of the Proposed Permit has been corrected to reference Special Provision 6.3.3.1.

Comment No. 9: *The City identifies that the listed Facility Permitted Flow of "0.77 mgd (peak daily wet weather treatment capacity)" in Table F-1 of the Draft Order should read "4.0 mgd (peak daily wet weather treatment capacity).*

Response to Comment No. 9: Table F-1 of the Proposed Permit has been corrected to identify the Facility Permitted Flow Rate as "4.0 mgd (peak daily wet weather treatment capacity)".

Comment No. 10: *The City suggests re-phrasing the first sentence of the Facility Description, located on page F-4 of the Draft Order's fact sheet, to read "The Permittee owns and operates a municipal wastewater treatment facility (WWTF) and associated wastewater collection, recycling, and disposal facilities that serve a population of approximately 11,800 residents, with approximately 4,890 residential, commercial, industrial and municipal service connections".*

Response to Comment No. 10: Staff appreciate the City's effort to make the Proposed Permit as accurate as possible and have incorporated the suggested language into section 2 of the Proposed Permit's Fact Sheet, as follows:

2. FACILITY DESCRIPTION

> The Permittee owns and operates a municipal wastewater treatment facility (WWTF) and associated wastewater collection, recycling, and disposal facilities that serve a population of ~~12,200~~ approximately 11,800 residents, with approximately 4,890 residential, commercial, industrial, and municipal ~~users~~ service connections. The Permittee does not currently accept the discharge of septage or bulk loads.

Comment No. 11: *The City proposes several language updates to Section 2.1.1 of the Fact Sheet of the Draft Order. Specifically, the City suggest changing the term "vertical turbine" to "centrifugal" in the second line of the second paragraph of this section. Additionally, the City suggests changing the fifth line of the same paragraph with "In most circumstances, one pump operates in a lead position and pumps the entire sewage flow to the treatment plant. Two other pumps are configured in a lag and lag-lag roles, and a fourth pump is in a standby mode for system redundancy."*

Response to Comment No. 11: Staff again appreciate the City's effort to make the Proposed Permit as accurate as possible and have incorporated the suggested language into the second paragraph of section 2.1.1 of the Proposed Permit's Fact Sheet as follows:

> The Magnolia sewer lift station, handles all of the City of Healdsburg's sewage, and includes four dry pit 50-hp ~~vertical turbine~~ centrifugal pumps with a variable frequency drive level control system. These pumps draw the sewage from the wet well and pass it through two parallel 3,700 foot long, 14-inch diameter force mains to the treatment plant. In most circumstances, one pump operates in a lead position and pumps the entire sewage flow to the treatment plant. Two ~~The~~ other ~~two~~ pumps are configured in lag and lag-lag roles, and a fourth pump is in a standby mode for system redundancy. During periods of high flow, multiple pumps will run automatically to handle the increased flow rate. A comminutor/grinder at the lift station reduces large solids in size to less than a ¼-inch before being pumped to the treatment plant. Under all but wet weather conditions, the capacity of only one of the two 14-inch force mains is necessary.

Comment No. 12: *The City suggests the following updated language for the last paragraph of section 2.1.2 of the Draft Permit's Fact Sheet:*

"The Facility includes a 5 million gallon aerated influent equalization basin and a 3.35 million gallon equalization basin, which provides equalization storage capacity for extended wet weather flows and plant return flows. The Permittee has the ability to divert inadequately treated wastewater from downstream of the UV disinfection system and return it to the headworks for re-treatment."

Response to Comment No. 12: Staff have incorporated the suggested language into the last paragraph of section 2.1.2 of the Proposed Permit's Fact Sheet as follows:

> The Facility includes a 5 million gallon aerated influent equalization basin and a ~~4.5~~ 3.35 million gallon equalization basin, which provides equalization storage capacity for extended wet weather flows and plant return flows. ~~Pond 1 is also available for emergency influent storage, providing an additional 3.35 million gallons of storage capacity and emergency storage capacity during peak flows.~~ The Permittee has the ability to divert inadequately treated wastewater from downstream of the UV disinfection system ~~to these ponds and return it to the headworks and tertiary treatment processes using portable pumping equipment~~ and return it to the headworks for re-treatment.

Comment No. 13: *The City suggests the following updated language for the first and second sentence of the second paragraph of section 2.1.3 of the Draft Permit's Fact Sheet:*

"The Permittee has approximately 41,300 linear feet of pipeline to deliver recycled water for agricultural, industrial, and construction uses. Approximately 1,170 acres of agricultural land is directly connected to the pipeline."

Response to Comment No. 13: Staff have incorporated the suggested updates into the first and second sentences of the second paragraph of section 2.1.3, of the Proposed Permit's Fact Sheet as follows:

> The Permittee has ~~11,000~~ 41,300 linear feet of pipeline to deliver recycled water for agricultural, industrial, and construction uses. Approximately ~~300~~ 1,170 acres of vineyards are directly connected to the pipeline.

Comment No. 14: *The City suggests the following language change to the last sentence of the second paragraph of section 2.1.3 of the Draft Permit's Fact Sheet to identify that Syar Industries, Inc. has completed this pipeline installation:*

"Additionally, Syar Industries Inc., has installed a pipeline…"

Response to Comment No. 14: Staff have incorporated the suggested update into the last sentence of the second paragraph of section 2.1.3, of the Proposed Permit's Fact Sheet as follows:

> Additionally, Syar Industries Inc. ~~is installing~~ has installed a pipeline on its property to utilize recycled water for washing the aggregate materials used in asphalt and concrete production.

Comment No. 15: *The City suggests adding the following language to the last sentence of section 2.1.4 of the Draft Permit's Fact Sheet to identify that Hay Road Landfill in Solano County may also be used for dewatered biosolids disposal:*

"or Hay Road Landfill in Solano County."

Response to Comment No. 15: Staff have updated section 2.1.4 of the Proposed Permit's Fact Sheet to reflect that Hay Road Landfill in Solano County may also be used for dewatered biosolids disposal. The last sentence of section 2.1.4 of the Proposed Permit has been modified as follows:

> All solids are then transported for disposal at Redwood Landfill in Marin County or Hay Road Landfill in Solano County.

Comment No. 16: *The City disagrees with the ammonia nitrogen data presented in Table F-2 of the Draft Permit's Fact Sheet and believes that the reported values should*

not include the November 15, 2016 samples that the City believes to have been reported as incorrect values due to laboratory error. In a letter to the Regional Board dated January 26, 2017, the City indicated "Two errant lab results were received from Alpha Labs for total ammonia effluent samples at EFF-001 and REC-002 on November 15th. The analyses of 0.88 mg/L for EFF-001 and 0.52 mg/L for REC-002 were re-analyzed and corrected to ND for both samples, however, the hold time had elapsed." The City requests that the Regional Board re-evaluate the historical records for the City's ammonia concentrations for ammonia. The November 2016 sample was the only sample reported above detection limits and the sample for this date was re-tested, and ammonia concentration was determined to be not detected.

Response to Comment No. 16: As indicated in Response to Comment No. 1, there is insufficient evidence for the Regional Water Board to determine that the sample is invalid or nonrepresentative of the discharge at the time of sampling. Staff are unable to dismiss the November 15, 2016 ammonia result only because the City claims that the result not representative of the Facility's historic performance.

No changes have been made to the Proposed Permit as a result of this comment.

Comment No. 17: *The City identifies that the updated final compliance date for the City to comply with the seasonal discharge prohibition, as amended through the adoption of CDO. No. R1-2016-0016 should be July 31, 2021 and not September 30, 2019, as identified in the third paragraph of section 2.4.2 of the Draft Order's Fact Sheet.*

Response to Comment No. 17: Section 2.4.2 of the Proposed Permit's Fact Sheet has been corrected to identify the final compliance date for CDO Order No. R1-2016-0016 as July 31, 2021. The last sentence of the third paragraph, of Section 2.4.2 of the Proposed Permit has been corrected as Follows

> The Regional Water Board granted an extension to comply with the seasonal discharge prohibition from September 30, 2014, to ~~September 30, 2019~~ July 31, 2021 through the adoption of CDO No. R1-2016-0016.

Comment No. 18: *The City requests additional language for section 2.5 of the Draft Order's Fact Sheet to offer clarification and to identify additional planned changes that are expected to occur during the upcoming permit term. Specifically, the City asks that we clarify that the expanded recycled water infrastructure will allow the City to reduce and eventually cease discharges to Basalt Pond during the seasonal discharge prohibition period (May 15 through September 30) and not completely remove their need to discharge. Additionally, the City requests that the last sentence of this section be replaced with:*

The Permittee has been awarded a Department of Water Resources grant to construct a pipeline to deliver recycled water for municipal service. This project is expected to be completed by the end of 2025.

Response to Comment No. 18: Staff have updated the language in section 2.5 of the Draft Permit's Fact Sheet as requested, to clarify that the expansion of the recycled water infrastructure is not anticipated to completely remove the City's need to discharge to surface waters. Furthermore, staff have updated this section to reflect a Department of Water Resources grant recently received by the City that will be used to further expand the recycled water delivery system. Section 2.5 of the Draft Permit's Fact Sheet has been modified as follows:

> The Permittee is continuing to expand its recycled water infrastructure in order to reduce and eventually cease discharges to Basalt Pond <u>from May 15 to September 30</u>. The Permittee is nearing completion with their Westside Road recycled water transmission pipeline by and anticipates this to be complete in 2022. ~~No additional planned changes have been identified by the Permittee.~~ <u>The Permittee has been awarded a Department of Water Resources grant to construct a pipeline to deliver recycled water for municipal service. This project is expected to be completed by the end of 2025.</u>

Comment No. 19: *The City identifies that section 4.3.2.3 of the Draft Order's Fact Sheet misidentifies the receiving waters and requests that this section be corrected.*

Response to Comment No. 19: The last paragraph of section 4.3.2.3, of the Draft Permit's Fact Sheet, has been modified to correctly identify the receiving waters as follow:

> Human health criteria are further identified as "water and organisms" and "organisms only". "Water and organism" criteria are designed to address risks to human health from consumption of drinking water, fish and shellfish. The criteria from the "water and organisms" column of CTR were used for the RPA because the Basin Plan identifies that the receiving water, ~~Outlet Creek, tributary to the Eel River~~ <u>Basalt Pond, part of the Russian River</u>, has the beneficial use designation of municipal and domestic supply

Comment No. 20: *The City suggests again that the Regional Water Board re-evaluate ammonia for reasonable potential after removing the erroneous data from the November 15, 2016 samples. Specifically, the City requests that section 4.3.3.1.2.2. of the Draft Order's Fact Sheet be updated to reflect this re-evaluation. Additionally, the City identifies that no samples were collected for ammonia at Basalt Pond (Monitoring Location RSW-001) during the current permit term and that the Draft Permit incorrectly identifies data being present from this period.*

Response to Comment No. 20: As indicated in Response to Comment No. 1, there is insufficient evidence for the Regional Water Board to determine that the sample is invalid or nonrepresentative of the discharge at the time of sampling. Staff further confirmed that no receiving water samples were collected for ammonia during the current permit term and corrected the Draft Permit's language to accurately state this. Additionally, staff verified all data used in the reasonable potential analysis and confirmed that reasonable potential remains for ammonia. The fifth paragraph of section 4.3.3.1.2.2 of the Draft Permit's Fact Sheet has been updated as follows:

> Between August 2016 and May 2021, effluent monitoring results ranged from non-detect to 0.88 mg/L based on 55 samples collected at Monitoring Location EFF-001~~, and receiving water monitoring results ranged from non-detect to 5.8 mg/L based on 56 samples collected at Monitoring Location RSW-001~~. Receiving water monitoring for ammonia was not required or performed during the term of Order No. R1-2016-0015.

Additionally, Table F-5 of the Draft Permit was updated as follows:

Table F-5. Summary of Reasonable Potential Analysis Results for Priority Pollutants, Ammonia, and Title 22 Pollutants

CTR No.	Pollutant	Unit	C or Most Stringent WQO/WQC	MEC or Minimum DL[1]	B or Minimum DL	RPA Result[2]
1	Antimony	µg/L	6	0.46	<0.2	No
2	Arsenic	µg/L	10	1	1	No
6	Copper	µg/L	70[3]	12	1.9	No
7	Lead	µg/L	4.0	0.14	<0.06	No
9	Nickel	µg/L	61	2.7	2.7	No
10	Selenium	µg/L	5	0.32	<0.3	No
13	Zinc	µg/L	140	44	6.4	No
14	Cyanide	µg/L	5.2	0.0052	<0.002	No

CTR No.	Pollutant	Unit	C or Most Stringent WQO/WQC	MEC or Minimum DL[1]	B or Minimum DL	RPA Result[2]
26	Chloroform	µg/L	No Criteria	0.41	<0.4	No
44	Vinyl Chloride	µg/L	0.5	0.41	<0.4	No
81	Di-n-Butyl Phthalate	µg/L	2,700	2.4	<0.9	No
114	Endosulfan Sulfate	µg/L	110	<0.003	0.0037	No
Not Applicable	Ammonia	mg/L	0.82[4]	0.88	~~5.9~~ ---[5]	Yes
Not Applicable	Nitrate (as N)	mg/L	10	5.2	5.8	No

Table Notes

1. The Maximum Effluent Concentration (MEC) or maximum background concentration (B) is the actual detected concentration unless it is preceded by "<", in which case the value shown is the minimum detection level as the analytical result was reported as not detected (ND).
2. RPA Results:
   = Yes, if MEC > WQO/WQC, or B > WQO/WQC and MEC is detected.
   = No, if MEC and B or < WQO/WQC or all effluent data are undetected.
   = Undetermined (UD).
3. Copper WQO calculated with a water effect ratio (WER) of 6.39 and the most stringent WQO from the CTR using the lowest receiving water hardness of 120 mg/L (6.39 x 11 µg/L = 70 µg/L).
4. Ammonia criteria are determined on a sliding scale based upon temperature and pH. The criterion represented in this table is based upon chronic exposure and a temperature of ~~24.7~~ 25.1°C and a pH of ~~10.03~~ 7.7.
5. Receiving water monitoring for ammonia was not required or performed during the term of Order No. R1-2016-0015.

Comment No. 21: *The City indicates that the third paragraph of section 4.3.3.1.5 of the Draft Permit is confusing and requests that reasonable potential for aluminum be re-evaluated. The City further provides their own assessment of reasonable potential for aluminum and identifies that the receiving water aluminum concentration identified in this section was incorrectly identified.*

Response to Comment No. 21: Staff have determined that the reasonable potential conclusion included within section 4.3.3.1.5 of the Draft Permit's Fact Sheet related to aluminum is incorrect and have updated this section to identify that inadequate data is available to determine reasonably potential for aluminum. Additionally, staff have corrected the receiving water concentration identified in this section. The third paragraph of Section 4.3.3.1.5, of the Draft Permit's Fact Sheet has been modified as follows:

> The Permittee most recently sampled its discharge for aluminum in October 2013. Effluent monitoring results for this sample was 7.4 µg/L. The Permittee also sampled the upstream receiving water monthly on the same day, with a monitoring result of 11<u>0</u> µg/L for total aluminum. Because aluminum ~~levels in the effluent and upstream receiving water have been measured below 200 µg/L, the Regional Water Board concludes that discharges from the Facility have a reasonable potential to cause or contribute to exceedances of applicable water quality criteria for the receiving water for aluminum~~ <u>monitoring has not been performed concurrently with dissolved organic carbon, inadequate data is available to determine if reasonable potential exists for the Facility's discharge to cause, contribute to, or exceed aluminum water quality objectives in the receiving water</u>.

Additionally, as identified in Response to Comment No. 1 above, Staff have modified Tables E-3 and E-5 to identify the Permittee's ability to request a reduction or elimination of monitoring requirements. This update allows the City to request a reduction or elimination of their monitoring requirements for aluminum, and related constituents, once adequate date is obtained to determine if reasonable potential exist.

Comment No. 22: *The City disagrees with the conclusion for reasonable potential for ammonia based on the November 15, 2016 effluent sample and requests that Table F-5 be updated to not reflect this sample result. The City further asks for clarification on the source of the temperature and pH data identified in Table Note 4.*

Response to Comment No. 22: As indicated in Response to Comment No. 1, there is insufficient evidence for the Regional Water Board to determine that the sample is invalid or nonrepresentative of the discharge at the time of sampling. The reasonable potential analysis determination for ammonia has been retained.

The pH and temperature data identified in Table Note 4 of Table F-5 are the highest reported receiving water (Monitoring Location RSW-001) data collected during the term of Order No. R1-2016-0015, although staff have further identified that the data used to determine the associated water quality criteria for ammonia are instead based on the paired effluent temperature and pH data from October 6, 2016 and have corrected Table Note 4 of Table F-5 to reflect these values, as shown in Response to Comment No. 20. It should be noted that the acute criteria for ammonia based on the maximum reported receiving water monitoring for pH and temperature, when assessed independently, would be even more restrictive than the criteria value used.

Comment No. 23: The *City is of the opinion that ammonia does not have reasonable potential. They have requested that we consider this evaluation and remove the Ammonia Impact Ratio for Table F-8 of the Draft Order.*

Response to Comment No. 23: As indicated in Response to Comment No. 1, there is insufficient evidence for the Regional Water Board to determine that the sample is invalid or nonrepresentative of the discharge at the time of sampling. The reasonable potential analysis determination for ammonia has been retained.

No further changes have been made to the Proposed Permit as a result of this comment.

Comment No. 24: *The City identifies that Table Note 5 of Table F-8 of the Draft Order is not referenced in Table F-8. The City asks that the Regional Water Board clarify where it applies.*

Response to Comment No. 24: Table Note 5 from Table F-8 has been removed from the Proposed Permit as it is not applicable to this table.

Comment No. 25: *The City again requests to clarify that they also use Hay Road Landfill in Solano County for biosolids disposal by adding language to section 6.2.6 of the Draft Order's Fact Sheet.*

Response to Comment No. 25: Section 6.2.6 of the Proposed Permit's Fact Sheet has been updated as requested to identify that dewatered biosolids may also be disposed of at Hay Road Landfill in Solano County. The first paragraph of section 6.2.6 of the Proposed Permit's Fact Sheet has been modified as follows:

6.2.6. Sludge Disposal and Handling Requirements (Special Provision 6.3.5.3). The disposal or reuse of wastewater treatment screenings, sludges, or other solids removed from the liquid waste stream is regulated by 40 C.F.R. parts 257, 258, 501, and 503, and the State Water Board promulgated provisions of title 27 of the CCR. All solids are transported and are either disposed of in the Redwood

> Landfill in Marin County or Hay Road Landfill in Solano County. The Permittee's Facility does not have a process for meeting Vector Attraction Reduction, thus this requirement from 40 C.F.R. part 503.33 must be met by incorporating land applied biosolids within six hours. In addition, Healdsburg does not have a "Process to Significantly Reduce Pathogens" as required by 40 C.F.R. part 503, Appendix B, thus the Permittee must demonstrate Class B pathogen reduction by monitoring fecal coliform levels.

Comment No. 26: *The City does not believe that reasonable potential for aluminum is present and suggests that the inclusion of effluent monitoring for aluminum, as identified in section 7.2.1.3 of the Draft Permit's Fact Sheet, is unnecessary and asks that the Regional Water Board re-evaluate their conclusion.*

Response to Comment No. 26: The 2018 Aquatic Life Ambient Water Quality Criteria for Aluminum, EPA 822-R-18-001, accounts for the site-specific bioavailability of aluminum in receiving waters, which is dependent on pH, dissolved organic carbon, and hardness. Because the mainstem Russian River within the Geyserville Hydrologic Subarea is identified as impaired by aluminum, aluminum concentrations have been determined to be present in both the Facility's discharge and receiving water, and that dissolved organic carbon monitoring data has not been previously investigated, Staff have determined that it is necessary to retain the included effluent monitoring for aluminum to determine the reasonable potential for the Permittee to exceed water quality objectives when discharging to Basalt Pond. This requirement is further explained in Section 4.3.3.1.5 of the Proposed Order's Fact Sheet. As indicated in Response to Comment No. 1, Staff have modified Tables E-3 and E-5 to identify the Permittee's ability to request a reduction or elimination of monitoring requirements.

No further changes have been made to the Proposed Permit as a result of this comment:

Comment No. 27: *The City does not believe that reasonable potential for aluminum is present and suggests that the inclusion of receiving water monitoring for aluminum and dissolved organic carbon, as identified in section 7.5.1.5 of the Draft Permit's Fact Sheet, is unnecessary and asks that the Regional Water Board re-evaluate their conclusion.*

Response to Comment No. 27: As identified in Response to Comment No. 26, Staff have determined that it is necessary to retain the included receiving water monitoring for aluminum and dissolved organic carbon to determine the reasonable potential for the Permittee to exceed water quality objectives when discharging to Basalt Pond. As indicated in Response to Comment No. 1, Staff have modified Tables E-3 and E-5 to identify the Permittee's ability to request a reduction or elimination of monitoring requirements.

No further changes have been made to the Proposed Permit as a result of this comment.

Staff Initiated Changes:

The following sections describe changes made to the draft Order, initiated by Regional Water Board staff to update and provide clarification to the Proposed Permit's Fact Sheet. The modified sections are identified by their section numbers as indicated in the Proposed Order. Regional Water Board staff virtually met with the Permittee on September 8, 2022 to discuss the changes made to the Draft Permit and the Permittee did not have any objections to the proposed changes.

1. The draft Order was modified as follows:

3.11. During the period from October 1 through May 14, discharges of treated wastewater to Basalt Pond, part of the Russian River, shall not exceed one percent of the flow of the Russian River, as measured by the sum of flows at United States Geological Survey (USGS) Gauge No. 11-4640.00 in the Russian River near Healdsburg and at USGS Gauge No. 11-4653.50 in Dry Creek near its mouth. For the purposes of this Order, compliance with this discharge prohibition shall be determined as follows: ~~The discharge of advanced treated wastewater shall be adjusted at least once daily to avoid exceeding, to the extent practicable, one percent of the most recent daily flow measurement of the Russian River. Daily flow shall be based on flow meter comparisons reasonably read between the hours of 12:01 am and 12:00 midnight.~~

3.11.1. The discharge of advanced treated wastewater shall be adjusted at least once daily to avoid exceeding, to the extent practicable, one percent of the most recent daily flow measurement of the Russian River. Daily flow shall be based on flow meter comparisons reasonably read between the hours of 12:01 am and 12:00 midnight.

3.12. The discharge of any radiological, chemical, or biological warfare agent into waters of the state ~~or the Pacific Ocean~~ is prohibited under Water Code section 13375.

Footnote 3 has been added to Section 4.4.1 of the Order to identify that the Toxicity Provisions are still waiting for final approval from the U. S. EPA and reads as follows:

[3] Chronic toxicity requirements included in this Order are included consistent with the Toxicity Provisions. The Toxicity Provisions were adopted by the State Water Resources Control Board on December 1, 2020 and approved by the California

Office of Administrative Law on April 25, 2022. Permittee shall comply with the Toxicity Provisions upon approval by the U.S. EPA.

2. The draft Order's Monitoring and Reporting Program was corrected as follows:

Table E-7. Reporting Requirements for Special Provisions Reports

Order Section	Special Provision Requirement	Reporting Requirement
Special Provision 6.3.2.1	Disaster Preparedness Assessment Report and Action Plan	August 1, 2025
~~Special Provision 6.3.2.2~~	~~Pathogen Special Study Work Plan~~	~~August 1, 2023~~
Special Provision 6.3.3.~~2~~1	Pollutant Minimization Program	If required by the Regional Water Board Executive Officer
Special Provision 6.3.3.2.5	Pollutant Minimization Program, Annual Facility Report	March 1, annually, following development of Pollutant Minimization Program
Special Provision 6.3.5.2.1	Source Control Provisions, Annual Report	March 1, annually
Special Provision 6.3.5.6	Adequate Capacity, Technical Report	Within 120 days of notification that the Facility will reach capacity within 4 years
MRP General Monitoring Provision 1.6	DMR-QA Study Report	Annually, per State Water Board instructions
MRP Effluent Monitoring Requirement 5.1.12	Verbal and written notification of chronic toxicity fail result	Within 24 hours after receipt of a fail result.
MRP Effluent Monitoring Requirement 5.2.1	Generic TRE Work Plan review and update	Review by August 1, 2023 Update as necessary
MRP Effluent Monitoring Requirement 5.2.2	TRE Workplan	No later than 30 days receipt of the chronic toxicity monitoring result, or other toxicity event, that initiated the TRE requirement.

Order Section	Special Provision Requirement	Reporting Requirement
MRP Reporting Requirement 10.4.2	Annual Report	March 1, annually
MRP Reporting Requirement 10.4.3	Annual Volumetric Report	April 30, annually
MRP Reporting Requirement 10.5.1	Notification of spills and unauthorized discharges.	Oral reporting within 24 hours and written report within 5 days

3. The draft Order's Fact Sheet was modified as follows to provide additional clarification and details regarding the proposed Order:

1.4. Regulations at 40 C.F.R. section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. However, pursuant to California Code of Regulations, title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Permittee complies with all federal NPDES requirements for continuation of expired permits. Order No. R1-2016-0015 was administratively extended pursuant to these regulations.

2.1. **Description of Wastewater and Biosolids Treatment and Controls**

The Facility is located approximately 1 mile south of Healdsburg, California just west of the Russian River and serves the City of Healdsburg. Treated wastewater is discharged from Discharge Point 001 to Basalt Pond. Basalt Pond is physically connected to the Russian River within the Geyserville Hydrologic Subarea of the Russian River Hydrologic Unit. Alternatively, treated wastewater may be distributed for reuse within the City of Healdsburg's recycled water system though Discharge Point 002.

2.1.1. **Collection System**

The Permittee's wastewater collection system includes approximately 52 miles of sewer mains, 979 manholes, twelve sewer lift stations, and several miles of pressurized force main. The oldest portions of the system are approximately 100 years old. The Permittee is actively working to replace older collection system lines and only about 1.5 miles of 100-year old pipeline remains. Approximately 34 percent of the collection system is between 50 and 100 years old and 40 percent is between 25 and 50 years old. The remaining approximately 25 percent is under 25 years old. Mains range in size from 4 to 33 inches. Collection system

pipe materials include asbestos cement pipe, vitrified clay, cast iron, and polyvinyl chloride (PVC). There are nine sewer lift stations located throughout the City of Healdsburg that convey sewage from isolated low-lying areas into the gravity main system, and two additional lift stations located within the City of Healdsburg Corporate Yard. All sewage discharged to the collection system is ultimately collected and conveyed through a 33-inch gravity main to the Magnolia Lift Station, which is the largest lift station.

2.1.3. **Recycled Water**

The Permittee produces disinfected tertiary recycled water. The Facility has two recycled water storage ponds, 25 million gallon and 15 million gallon capacity, with synthetic liners to provide storage for the disinfected tertiary treated recycled water and delivery it to authorized recycled water users. Recycled water is delivered by an effluent pump station from the recycled water storage pond to the recycled water system or is gravity fed to the Basalt Pond, depending upon seasonal requirements.

The Permittee has 11,000 linear feet of pipeline to deliver recycled water for agricultural, industrial, and construction uses. Approximately 300 acres of vineyards are directly connected to the pipeline. Additionally, ~~T~~the Permittee operates two filling stations for the trucked recycled water program. Trucked recycled water is used for construction uses (primarily soil compaction and dust control), non-dairy livestock drinking water, and landscape and vineyard irrigation, consistent with agronomic demand. Irrigation occurs primarily during spring, summer, and fall and may occur during dry periods in the winter. The filling stations are located at 340 Foreman Lane and 280 Kinley Lane. Syar Industries, Inc., operates its own recycled water hydrant at 13666 Healdsburg Avenue. The hydrant is used to fill Syar water trucks for dust control at the aggregate processing facility. Additionally, Syar Industries Inc. is installing a pipeline on its property to utilize recycled water for washing the aggregate materials used in asphalt and concrete production.

This Order includes requirements for the production of recycled water at the Facility. The use of recycled water from the Facility is covered separately under State Water Resources Control Board Order No. WQ 2016-0068-DWQ, General Waste Discharge Requirements for Recycled Water Use (Recycled Water General Order), and any subsequent revision thereof.

2.2.1. During the discharge season (October 1 through May 14), wastewater may be discharged to Basalt Pond at Discharge Point 001 (38° 34’ 48” N latitude and 122° 51’ 48” W longitude), which is hydraulically connected to the Russian River in the Geyserville Hydrologic Subarea within the Russian River Hydrologic Unit.

Basalt Pond is one of several existing gravel pits that were excavated adjacent to the Russian River in alluvial deposits of sand and gravel. These deposits are part of an important groundwater aquifer that supplies domestic and agricultural well water. Basalt Pond has a surface area of 52 acres, and a maximum depth of 55 feet. Basalt Pond was excavated between the late 1960s and mid-1980s by the Basalt Rock Company, as part of their gravel mining operation. Basalt Pond is currently owned by Syar Industries Inc. Basalt Pond was excavated in the historic floodplain of the Russian River, and a levee, composed primarily of soil and alluvial material, was constructed to separate Basalt Pond from surface flows in the Russian River. The levee is not an engineered barrier designed for impermeability that would prevent discharges of effluent from reaching the Russian River. Flooding in February 2019 resulted in a significant breach of the levee between Basalt Pond and the Russian River, resulting in a direct surface water connection between them. ~~Repairs to the levee are still pending.~~ Corrective actions related to the levee breach are currently under development by Syar Industries under the conditions of their Mine Reclamation Plan as required by the use permit issued by the County of Sonoma under the Surface Mining and Reclamation Act (SMARA). The final configuration between Basalt Pond and the Russian River are unknown at this time.

Even prior to the breach between Basalt Pond and the Russian River, it was determined that t~~T~~he discharge of wastewater to Basalt Pond, part of the Russian River, is a discharge to waters of the United States, and as such requires an NPDES permit. In an August 6, 2007, decision, the United States Ninth Circuit Court of Appeals affirmed the decision of the United States District Court for the Northern District of California that concluded that Basalt Pond is a water of the United States subject to jurisdiction under the Clean Water Act (CWA) and that the pollutants traveling to the Russian River via hydrologically connected groundwater required the Permittee to obtain an NPDES permit. The Ninth Circuit Court held that discharges to Basalt Pond are subject to the CWA because the Basalt Pond (1) contains wetlands that are adjacent to the Russian River, a navigable water of the United States, and (2) possesses a significant nexus to the Russian River because waters from the Basalt Pond seep into the Russian River and significantly affect the physical, biological, and chemical integrity of the Russian River. (Northern Calif. River Watch v. Healdsburg, 497 F.3d 993 (2007)). Additional details of the District Court decision can be found in Revised Order No. R1-2005-0084 (January 17, 2008). See additional discussion in Table F-3, Footnote 1.

2.4.2. **Seasonal Discharge Prohibition.** Prior to 2004, the discharge to Basalt Pond was regulated by WDRs. Breaches in Basalt Pond in 1995 and 1997 resulted in unpermitted discharges to the Russian River and prompted the Regional Water Board to adopt Cease and Desist Order (CDO) Nos. 95-65 and 97-27 requiring the Permittee to develop solutions to prevent future unpermitted discharges.

Additionally, ~~F~~following a citizen lawsuit in 2004 in which it was determined that Basalt Pond was a water of the United States, the Regional Water Board adopted Order No. R1-2004-0064 (NPDES No. CA0025135) to regulate the Facility under an NPDES permit and not a WDR.

~~2.4.2.~~ Because the Facility had not been previously regulated by an NPDES permit, the Permittee was in non-compliance with several requirements of the NPDES permit, including the prohibition of discharges to the Russian River from May 15 through September 30 (seasonal discharge prohibition). Thus, CDO No. R1-2004-0065 was adopted on October 6, 2004 establishing a schedule to achieve compliance with the prohibition by October 6, 2009. The Regional Water Board adopted CDO No. R1-2006-0002 on January 25, 2006, rescinding CDO Nos. 97-27 and R1-2004-0065. CDO No. R1-2006-0002 continued to require final compliance with seasonal discharge prohibition by October 6, 2009.

In order to comply with the requirements of the NPDES permit and CDOs, the Permittee completed an upgrade to the Facility to provide advanced wastewater treatment in May 2008. Although the upgrade resulted in compliance with most requirements, the Permittee had still not achieved compliance with the Basin Plan's seasonal discharge prohibition by the time NPDES Permit Order No. R1-2010-0034 was adopted. Therefore, the Permittee proposed to construct a recycled water system and requested an extension of 5 years to complete its project and achieve final compliance. Thus, the Regional Water Board adopted CDO No. R1-2010-0035 on June 10, 2010, rescinding CDO No. R1-2006-0002 and extending the final compliance date for the seasonal discharge prohibition to September 30, 2014.

During the term of NPDES Permit Order No. R1-2010-0034, the Permittee constructed major improvements to its recycled water system, including installation of 11,000 feet of recycled water pipeline for vineyard irrigation of up to 600 acres, construction of the Dry Creek Pipe Bridge, and construction of two filling stations for the trucked recycled water program. These improvements have reduced discharges to Basalt Pond, but are not expected to fully prevent all discharges during the seasonal discharge prohibition period. The Permittee sent a letter on April 24, 2014, to the Regional Water Board requesting a 5 year extension to further expand their recycled water system and comply with the seasonal discharge prohibition addressed in CDO No. R1-2010-0035. Additional time was requested to construct the Foreman Lane recycled water transmission pipeline by September 2017, expand recycled water storage by February 2018, and construct the Westside Road recycled water transmission pipeline by September 2019. The Regional Water Board granted an extension to comply with the seasonal discharge prohibition from September 30, 2014, to September 30, 2019 through the adoption of CDO No. R1-2016-0016.

The Permittee has subsequently requested an extension to CDO No. R1-2016-0016, in a letter dated February 8, 2021, to modify the final compliance date with the seasonal discharge prohibition from July 31, 2021 to September 30, 2024. This extension is proposed as CDO No. R1-2022-0018 and is being considered for adoption concurrently with this Order and is anticipated to allow the Permittee time to secure additional recycled water users and to gain experience managing their recycled water system to reliably comply with the seasonal discharge prohibition.

4.1.7. Discharge Prohibition 3.7. The discharge of recycled, filtered wastewater to any point not addressed in the current ~~a~~ DDW-accepted Title 22 Recycled Water Engineering Report is prohibited.

4.1.8. Discharge Prohibition 3.8. The discharge of waste at any point not described in ~~Finding~~ Section 2.2 of the Fact Sheet or authorized by a permit issued by the State Water Board or another Regional Water Board is prohibited.

4.2.1.1.1.1. The 30-day average shall not exceed ~~30~~ 10 mg/L.

4.2.1.1.1.2. The 7-day average shall not exceed ~~45~~ 15 mg/L.

7.3. **Whole Effluent Toxicity Testing Requirements**

Effluent monitoring data collected during the term of Order No. R1-2016-0015 indicates that the discharge does not exhibit reasonable potential to cause or contribute to an exceedance of water quality objectives for acute aquatic toxicity. Therefore, this Order discontinues quarterly effluent monitoring requirements for acute aquatic toxicity. Furthermore, effluent data indicates that the discharge does not exhibit reasonable potential to cause or contribute to an exceedance of water quality objectives for chronic aquatic toxicity. This Order includes quarterly effluent monitoring requirements for chronic aquatic toxicity to demonstrate compliance with the water quality objective for toxicity and~~,~~ as required by the Toxicity Provisions.

4. Table Notes within the draft Order's Fact Sheet were modified as follows to update and provide additional clarification regarding the proposed Order.

Table Note 1 of Table F-3:

1. Basalt Pond is identified as being part of, rather than a tributary of, the Russian River. The Regional Water Board and the Permittee reached this conclusion after discussions regarding how to determine compliance with the Basin Plan

requirement that discharges to the Russian River during the discharge period of October 1 through May 14 do not exceed 1 percent of the river's flow. Fact Sheet section 2.2 clearly describes the evidence that supports the conclusion that Basalt Pond is part of the Russian River, including the fact that there is a surface connection when the Russian River flows into Basalt Pond ~~during extremely high flow conditions~~. Similarly, there is evidence of subterranean stream (underflow) flows between the river and Basalt Pond. The Basin Plan clearly states that subterranean streams are not groundwater, and have all of the beneficial uses of the surface waters (Basin Plan page 2-18.00, footnote 3). It is therefore, well established that Basalt Pond is part of the Russian River, and as such, the beneficial uses of the Russian River apply to Basalt Pond (40 C.F.R. 131.10(b) requiring that in designating uses of water body and identifying appropriate criteria for those uses, consideration must be taken to ensure downstream uses are protected.)

Table Note 1 of Table F-3:

1. Basalt Pond is identified as being part of, rather than a tributary of, the Russian River. The Regional Water Board and the Permittee reached this conclusion after discussions regarding how to determine compliance with the Basin Plan requirement that discharges to the Russian River during the discharge period of October 1 through May 14 do not exceed 1 percent of the river's flow. Fact Sheet section 2.2 clearly describes the evidence that supports the conclusion that Basalt Pond is part of the Russian River, including the fact that there is a surface connection when the Russian River flows into Basalt Pond ~~during extremely high flow conditions~~. Similarly, there is evidence of subterranean stream (underflow) flows between the river and Basalt Pond. The Basin Plan clearly states that subterranean streams are not groundwater, and have all of the beneficial uses of the surface waters (Basin Plan page 2-18.00, footnote 3). It is therefore, well established that Basalt Pond is part of the Russian River, and as such, the beneficial uses of the Russian River apply to Basalt Pond (40 C.F.R. 131.10(b) requiring that in designating uses of water body and identifying appropriate criteria for those uses, consideration must be taken to ensure downstream uses are protected.)

Table Note 4 of Table F-4 has been added for clarification as follows:

<u>4. No sample shall exceed an MPN of 240 per 100 milliliters.</u>

Table Note 5 of Table F-8 has been added for clarification as follows:

<u>5. No sample shall exceed an MPN of 240 per 100 milliliters.</u>

3. Table F-2 of the draft Order's Fact Sheet has updated for clarification and corrected as follows:

Table F-2. Historic Effluent Limitations and Monitoring Data[1]

Parameter	Units	Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Biological Oxygen Demand 5-day @ 20°C (BOD_5)	mg/L	10	15	--	3.4	11	--
	% Removal	≥85	--	--	98.4 [2]	--	--
Total Suspended Solids	mg/L	10	15	--	0.4	1.5	--
	% Removal	≥85	--	--	99.7 [2]	--	--
pH	s.u.	--	--	6.5 – 8.5	--	--	6.6 – 7.7
Ammonia Nitrogen, Total (as N)	mg/L	0.19	13	0.53	0.88	--0.88	0.88
Total Coliform Bacteria	MPN/100 mL	2.2[3]	23[4]	240	--0.0	--0[9]	--13[5]
Acute Toxicity	% Survival	70[6]/90[7]	--	--	90/97.5[8]	--	--

Table Notes

1. Monitoring data from August 1, 2016 – December 31, 2021
2. Minimum observed percent removal.
3. The median of ~~all samples collected in a 7 day period~~ the last 7 days for which analysis have been completed.
4. ~~The median of all samples collected in a 30-day period.~~ Not to be exceeded in more than one sample in any 30-day period.
5. Maximum observed result.
6. Minimum for any one bioassay.
7. Median for any three or more consecutive bioassays.
8. Minimum observed percent survival.
9. Number of results in a 30-day period that exceeded 23 MPN/100 mL.