

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

**Response to Written Comments
Item No. 10**

NPDES Permit Reissuance
for
City of Livermore, Livermore-Amador Valley Water Management Agency,
and East Bay Dischargers Authority

The Regional Water Board received timely written comments from the following:

- City of Livermore (Livermore), dated July 12, 2006
- U.S. Environmental Protection Agency (USEPA), dated July 12, 2006
- Bay Area Clean Water Agencies (BACWA), dated July 12, 2006
- San Francisco Baykeeper, date July 12, 2006
- Alameda County Flood Control and Water Conservation District (Zone 7), dated July 12, 2006

This Response to Comments begins with the comments (in *italics*) quoted where possible, or paraphrased for brevity. Regional Water Board staff responses follow each comment.

Livermore Comment 1: *“The City of Livermore supports and incorporates by reference the comments made by [East Bay Dischargers Authority] EBDA and BACWA in their comment letters.”*

Response: Please see the responses to EBDA and BACWA comments contained in the Regional Water Board Agenda package this month for EBDA’s permit reissuance. Those responses are hereby incorporated by reference.

Livermore Comment 2: *“Table 1 Facility Information Footnote (2). Request that this footnote be deleted. Zone 7 is not expected to contribute groundwater reverse osmosis reject flow to the City of Livermore during the term of this permit.”*

Response: We revised the Tentative Order as requested.

Livermore Comment 3: *Table 1, Footnote (3). Renumber to (2), and add following sentence: “Livermore has 12.4 mgd contractual peak wet weather capacity to convey treated wastewater to the LAVWMA storage and pumping facilities.”*

Response: We revised the Tentative Order as requested.

Livermore Comment 4: *“Attachment F – Fact Sheet, II.F.4.... The discharge by Zone 7 of groundwater reverse osmosis reject flow to the City of Livermore is not expected to occur during the term of this permit.”*

Response: We revised the Tentative Order as requested.

NOTE: USEPA’s other comments on Livermore are nearly identical to its comments on the EBDA Tentative Order. As these permit reissuances are on the same Regional Water Board hearing, to avoid repetition (and save paper), please refer to the Board Agenda package for the EBDA permit reissuance for Regional Water Board staff’s responses. All except USEPA Comment 6 and 7 are hereby incorporated by reference. USEPA did not make its Comment 7 on the Livermore Tentative Order.

Below is a response to just two of all the comments from USEPA on the Livermore Tentative Order. One is specific to Livermore (noted here by “L”); the other involves a different response by Regional Water Board staff to USEPA Comment 6 for the EBDA Tentative Order.

USEPA Comment L1: *“Clarify that the CBOD and TSS% removal limits should be calculated using values for influent and effluent pollutant loadings (lbs/day) rather than concentration.”*

Response: We have not made the change suggested because USEPA staff has indicated that they are considering this issue further.

USEPA Comment 6: *USEPA requires that the permit be changed to make the blending (bypasses) subject to 40 CFR 122.41(m)(4). USEPA acknowledges that the Water Board may approve an anticipated bypass at the Discharger’s facility if the provisions of 40 CFR 122.41(m)(4)(i)(A), (B) and (C) are met (the bypass is unavoidable, there were no feasible alternatives, and the discharger submits proper notice), and requires that the permit include the specific conditions under which the bypass would be approved, including specific minimum wet weather flow rates.*

Response: Livermore does not discharge blended effluent. Therefore, we have deleted the paragraph approving blending in prohibition III.B.

NOTE: BACWA’s comment letter for the EBDA Tentative Order also applies to the Livermore Tentative Order. As these permit reissuances are on the same Regional Water Board hearing, to avoid repetition (and save paper), please refer to the Board Agenda package for the EBDA permit reissuance for Regional Water Board staff’s responses. All these responses are hereby incorporated by reference.

NOTE: SF Baykeeper's comments on the Livermore Tentative Order are nearly identical to its comments on the EBDA Tentative Order. As these permit reissuances are on the same Regional Water Board hearing, to avoid repetition (and save paper), please refer to the Board Agenda package for the EBDA permit reissuance for Regional Water Board staff's responses. All these responses are hereby incorporated by reference.

NOTE: Zone 7's comment letter for the EBDA Tentative Order also applies to the Livermore Tentative Order. As these permit reissuances are on the same Regional Water Board hearing, to avoid repetition (and save paper), please refer to the Board Agenda package for the EBDA permit reissuance for Regional Water Board staff's responses. All these responses are hereby incorporated by reference.