

**PG&E COMMENTS ON TENTATIVE ORDER AND TENTATIVE SELF-MONITORING PROGRAM FOR PACIFIC GAS AND ELECTRIC COMPANY, PG&E SHELL POND, BAY POINT, CONTRA COSTA COUNTY, NPDES NO. CA0030082**

Pacific Gas and Electric Company (PG&E) appreciates this opportunity to provide comments on the Tentative Order and Tentative Self-Monitoring Program for the PG&E Shell Pond site (TO).

PG&E would like to thank staff of the California Regional Water Quality Control Board – San Francisco Bay Region (RWQCB), and in particular staff of the NPDES Division, for working cooperatively with PG&E, the Contra Costa Water District (CCWD) and other stakeholders in finalizing this TO. PG&E notes that the TO has required a significant investment of time and effort on the part of PG&E and RWQCB staff to reach consensus on most issues, but throughout this process PG&E believes that the spirit of cooperation has prevailed.

PG&E understands from RWQCB staff that the Shell Pond TO is unique in their experience, in that PG&E does not discharge water or treated wastewater resulting from PG&E operations at the site. PG&E only circulates Suisun Bay water through the pond in an attempt to reduce pond salinity, with the ultimate objective of enhancing critical terrestrial and aquatic life habitat at the site. This objective is shared by the stakeholders, and RWQCB staff have provided a high level of support in attempting to expeditiously meet this objective. While the TO reflects that most issues have been addressed to the mutual satisfaction of the stakeholders, PG&E would like to provide comments on the remaining issues.

The most significant unresolved issue relates to the Average Monthly Effluent Limitation (AMEL) for mercury at Discharge Point 001. At times, PG&E may not be able to meet the AMEL and therefore could be in technical violation of the TO. This is not because the pond is contributing mercury to the receiving waters through the discharge, but because mercury in influent from the intake slough to the pond either exceeds the AMEL or is likely the only contributing factor to discharge exceedances of the AMEL. At these times, if this were found to be a violation by RWQCB, the only option PG&E would have in order not to be subject to further violations is to shut down the discharge, which would result in further delays in meeting the

site's objective. PG&E believes that if this issue can be addressed, it will be possible to meet the ultimate objective for the site without additional delays, while continuing to assure protection of human health and the environment.

**Comment on IV.A.1.a, Mercury:**

The TO presents an AMEL for Mercury of 0.02 µg/L and a maximum daily effluent limitation (MDEL) of 0.041 µg/L. During the term of the previous Permit for the Shell Pond discharge, no sample collected from the effluent exceeded the MDEL, but effluent concentrations in individual samples exceeded the AMEL four times. Two of these times the influent concentration was lower than the effluent concentration, so intake credits are not applicable, and in the current TO, this would be considered a violation.

The intake water (influent) has also been sampled for mercury during the term of the previous Permit. The influent is not affected by Shell Pond water and is directly connected to Suisun Bay through a tidal slough. Past influent results indicate that mercury in the intake water was mostly below the MDEL, but greatly exceeded the MDEL two times: 219 µg/L on 12/11/03, and 435 µg/L on 8/02/05. At both times the effluent concentration was much lower. These historical results indicate that background concentrations of mercury in the influent periodically exceed the AMEL by a large amount, even though the influent is unaffected by discharges from the pond. Also, as shown in Appendix F (IV.C.3.g), the maximum background concentration of mercury at the ambient background (Sacramento River) station is greater than the Maximum Effluent Concentration (MEC).

It is also important to note that there is a storm drain culvert that discharges periodically into the influent channel near the intake pumps, at the southern end of the slough. PG&E is not responsible for controlling this discharge, but it could affect mercury concentrations in the influent.

During the pond water circulation process (Suisun Bay water intake and pond water discharge), the pond acts as a "retention basin" whereby turbid influent settles before it is discharged. Background mercury in the influent is either dissolved or adsorbed to suspended particulate matter. When wind-driven or pond circulation turbulence results in upwelling of settled particulate matter, this background mercury could be discharged at concentrations greater than what is then being taken into the pond in the

influent. This situation currently does not allow the application of intake water credits, and would therefore result in a false “violation” for which PG&E is not, and cannot, be held responsible.

PG&E requests that RWQCB acknowledge that PG&E cannot be held responsible for pond discharge violations resulting from background mercury, and that RWQCB address this issue in an effort to expeditiously meet the mutually agreeable objective for this site. One means of addressing this issue could be to compare the monthly mercury sample to the MDEL rather than the AMEL, because only one monthly sample is required. In these circumstances, it is likely that future sampling for mercury would not result in exceedances of the MDEL. If this is not possible, PG&E could potentially collect a second sample once the initial sample result is found to exceed the AMEL, and then average the results in an attempt to meet the AMEL. However, there is no assurance that this option would result in an average concentration below the AMEL.

**Comment on Attachment E – MRP, IV.A.1., Salinity:**

PG&E monitors other analytical parameters on a monthly basis and requests that RWQCB accordingly modify the Minimum Sampling Frequency for salinity to monthly. PG&E understands that a monthly monitoring frequency for salinity to assure compliance with the TO does not obviate any written agreements that PG&E might establish with CCWD to monitor salinity on a more frequent basis.

**Comment on Attachment E – MRP, X.B.3., Discharge Event, Monitoring Period, Grab:**

PG&E’s contracted technicians visit the site twice per week during a Discharge Event. PG&E therefore requests that RWQCB accordingly modify grab sampling to “Not less than twice per week”. Based on other tables presented in Attachment E, PG&E understands that this modification would be applicable to monitoring pH at M-INF, M-001A and R-001 and monitoring Flow Rate at M-INF and M-001A. These monitoring frequencies and locations are equivalent to those in the current Permit.