



COACHELLA VALLEY WATER DISTRICT

Established in 1918 as a public agency

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ASSISTANT GENERAL MANAGER
Robert Cheng

CLERK OF THE BOARD
Sylvia Bermudez

ASSISTANT GENERAL MANAGER
Dan Charlton

August 20, 2020

SUBMITTED VIA EMAIL:

commentletters@waterboards.ca.gov

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Dear Ms. Townsend:

Subject: Comment Letter – Toxicity 2018 to 2020

The Coachella Valley Water District (CVWD) appreciates the opportunity to comment on the State Water Resources Control Board's (State Water Board) Toxicity Provisions. CVWD provides domestic water, wastewater, recycled water, irrigation/ drainage, regional stormwater protection and groundwater management services to a population of approximately 300,000 throughout the Coachella Valley.

As CVWD indicated in its comments submitted to your office on December 21, 2018, regarding the Draft Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California, CVWD appreciates the State Water Board's goal of state-wide consistency in toxicity monitoring and enforcement, as well as the efforts that have gone into these provisions. Seeing that the proposed provisions continue to include many of the same components as the draft policy, our concerns remain the same about the specific burdens that will fall on our agency pertaining to increased costs and increased violations.

As in 2018 and 2012, CVWD hopes that the State Water Resources Control Board will take these comments under serious consideration. The additional costs due to the provisions will be burdensome for our agency. Even in the absence of these cost increases, we are concerned that these new provisions will result in unwarranted violations from inaccurate toxicity results that do not reflect actual water quality impairments and will only act to damage the public confidence in the sanitation services CVWD provides.

Enclosed are additional comments on the Second Draft Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California and Second Revised Draft Staff Report.

Please contact me if you have any questions.

Sincerely,

Steve Bigley
Director of Environmental Services

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CVWD Comments

Second Revised Draft Water Quality Control Plan for Inland Surface Waters, Enclosed Bays and Estuaries of California.

1. IV. B. 2. b. i. Species Sensitivity Screening (page 14): CVWD does not agree with conducting a species sensitivity screening for chronic aquatic toxicity, as a requirement for a report of waste discharge (ROWD). CVWD recommends revising this section to state, “The permitting authority shall require non-storm water NPDES dischargers to submit the most recent species sensitivity screening results for chronic aquatic toxicity as part of a Report of Waste Discharge (ROWD).”
2. IV. B. 2. b. iii. Type and Number of Tests Required for a Species Sensitivity Screening (page 16): This section proposes continuous dischargers to perform four sets of species sensitivity screening testing, with a set of testing conducted in each quarter of a year. CVWD currently conducts chronic/ acute toxicity species screening during years 1 and 4 of a 5 year permit cycle for one of its waste discharge facilities. The cost for CVWD to perform this screening is around \$5,300 for one round or \$10,600 over a 5 year permit cycle. The increase in frequency has no apparent benefit and in a 5 year permit cycle will increase cost to \$106,000, if the species screening is performed quarterly throughout the 5 year permit term. CVWD believes two sets during a 5 year permit cycle is sufficient to determine the most sensitive species.
3. IV. B. 2. c. i. Non-Storm Water NPDES Dischargers Required to Conduct Reasonable Potential Analysis for Chronic Aquatic Toxicity (page 19): This section states POTWs that are authorized to discharge at a rate equal to or greater than 5.0 million gallons per day (MGD) and are required to have a pretreatment are exempt from completing a reasonable potential analysis. CVWD requests the state board to clarify if POTWs who are authorized to discharge 5.0 MGD or greater and are required to have a pretreatment program, but do not have an approved pretreatment program due to the absence of significant industrial users present in their service area are required to complete a reasonable potential analysis.
4. IV. B. 2. d. i. Defining the Start of the Calendar Month, Calendar Quarter, and Calendar Year (page 21): Placing a time period restriction or limitation on when chronic aquatic toxicity testing shall be initiated (e.g., a requirement to initiate a test within five days of the calendar quarter, a requirement to initiate a test between the 10th and the 15th of each calendar month), creates challenges in scheduling analysis with specialized toxicity labs, and POTWs will lose the flexibility of deciding when to initiate toxicity testing. Additionally, we do not believe sufficient laboratory capacity exists to have all dischargers perform this monitoring almost simultaneously.
5. IV.B.2. h. Toxicity Reduction Evaluation (page 38): CVWD does agree with having a toxicity reduction evaluation (TRE) required when a non-storm water NPDES discharger does not meet MDET or MMET within two successive calendar months. CVWD does not agree with requiring a TRE when there is no effluent available to complete a routine monitoring test, MMET test, or MMEL compliance test. A TRE can be long lasting and can easily become high in cost. Recently, CVWD spent over \$31,000 on a TRE/ TIE that was unsuccessful in identifying a definitive pollutant(s) or source(s). A TRE should only be completed when there is evidence of toxicity. Performing a TRE when there is no effluent to perform a routine toxicity test provides no apparent benefit and is not sensible or practical.

Second Revised Draft Staff Report, Including Substitute Environmental Documentation for the Proposed Establishment of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California; and Toxicity Provisions

1. I. M. Drinking Water System Discharges (page 31): CVWD does not believe this analysis should be required for facilities enrolled in the statewide NPDES permit for drinking water discharges (Order WQ 2014-0194- DWQ). CVWD believes facilities enrolled in the statewide NPDES permit should be exempt from all of the implementation requirements stated in the Provisions.