



June 1, 2015

James Parrish  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, 14th Floor  
Oakland, CA 94612

**Via email:** [James.Parrish@waterboards.ca.gov](mailto:James.Parrish@waterboards.ca.gov)

**Subject:** Comment Letter – Tentative Order for Novato Sanitary District Wastewater Treatment Plant (NPDES No. CA0037958)

Dear Mr. Parrish:

The Bay Area Clean Water Agencies (BACWA) appreciates the opportunity to comment on the Tentative Order for reissuance of the Novato Sanitary District Wastewater Treatment Plant (Novato) NPDES Permit. BACWA is a joint powers agency whose members own and operate publicly-owned treatment works (POTWs) and sanitary sewer systems that collectively provide sanitary services to over 6.5 million people in the nine county San Francisco Bay Area. BACWA members are public agencies, governed by elected officials and managed by professionals charged with protecting the environment and public health.

BACWA has a concern with the justification for reasonable potential for ammonia. Currently, the language at the top of pg. F-26 is as follows:

***Conclusion.** There is reasonable potential for ammonia and this Order contains ammonia WQBELs because human waste is a significant source of ammonia and compounds that breakdown into ammonia. The Discharger was successful in the previous order term at operating the plant to treat ammonia concentrations to below Basin Plan objectives. However, the fraction of un-ionized ammonia in the effluent could increase after discharge to the receiving waters, particularly if the ambient receiving water pH is higher than the effluent pH. The receiving water data evaluated above were collected approximately four miles from the outfall and beyond the influence of the discharge; therefore, they may not represent the highest un-ionized ammonia concentrations present in the receiving waters. Therefore, WQBELs are necessary to protect against potential toxic impacts from the discharge. WQBELs also avoid backsliding.*

Novato provides nitrification and its effluent ammonia concentrations are very low. Reasonable potential should not be assigned for a constituent based solely on influent concentrations, and without regard to processes that are designed to remove that constituent. Additionally, assigning reasonable potential for ammonia based on its presence in human waste sets a precedent for all dischargers to have reasonable potential for ammonia in perpetuity, regardless of their treatment performance or actual effluent ammonia concentrations.

That said, BACWA appreciates the Regional Water Board's concern that there be a regulatory impetus for Novato to continue to nitrify during the next permit term. BACWA recommends that

the Regional Water Board not find reasonable potential for ammonia, but continue to implement water quality-based effluent limits (WQBELs) for ammonia. BACWA proposes replacing the existing language with the following:

***Conclusion.** There would be reasonable potential for ammonia if nitrification performance were not maintained; thus this Order contains ammonia WQBELs to ensure that the discharge will not cause or contribute to exceedance of the Basin Plan objective. The Discharger was successful in the previous order term at operating the plant to treat ammonia concentrations to below Basin Plan objectives. However, without regulatory assurance that nitrification will continue, the un-ionized ammonia in the effluent could increase and cause or contribute to toxicity outside of the mixing zone. Therefore, WQBELs will protect against potential toxic impacts from the discharge. WQBELs also avoid backsliding.*

BACWA would be happy to discuss our concerns further.

Respectfully,



David R. Williams  
BACWA Executive Director

CC:

BACWA Executive Board  
Meg Herston, BACWA Permits Committee Chair  
Sandeep Karkal, Novato Sanitary District  
Mary Cousins, RMC