

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

TIME SCHEDULE ORDER NO. R5-2006-0097

REQUIRING THE LINDA COUNTY WATER DISTRICT  
WASTEWATER TREATMENT PLANT  
YUBA AND SUTTER COUNTIES  
TO COMPLY WITH REQUIREMENTS PRESCRIBED IN ORDER NO. R5-2006-0096  
(NPDES PERMIT NO. CA0079651)

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Regional Water Board) finds that:

1. On 22 September 2006, the Regional Water Board adopted Waste Discharge Requirements (WDRs) Order No. R5-2006-0096, prescribing waste discharge requirements for the Linda County Water District Wastewater Treatment Plant in Yuba and Sutter Counties (hereafter Discharger).
2. WDRs Order No. R5-2006-0096, contains Interim Effluent Limitations – Discharge Point EFF-002 IV.A.2 which reads, in part, as follows:

“2. *Interim Effluent Limitations – Discharge Point EFF-002*

a. *During the period beginning **upon the effective date of this Order** and ending **upon commencement of discharge from the proposed diffuser at EFF-001 or 21 September 2011, whichever is sooner**, the discharge of treated wastewater shall maintain compliance with the following limitations at EFF-002, with compliance measured at Monitoring Location EFF-002 as described in the attached Monitoring and Reporting Program (Attachment E). These interim effluent limitations shall apply in lieu of the corresponding final effluent limitations specified for the same parameters during the time period indicated in this provision.*

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Aluminum	µg/L	74	--	140	--	--
Diazinon	µg/L	0.040	--	0.080	--	--
	lbs/day	0.00060	--	0.0012	--	--
Iron, Total Recoverable	µg/L	300	--	--	--	--
Manganese, Total Recoverable	µg/L	50	--	--	--	--
Methoxychlor	µg/L	--	--	--	--	0.03
Organochlorine Pesticides	µg/L	--	--	--	--	ND <sup>1</sup>

1. The non-detectable (ND) limitation applies to each individual pesticide. No individual pesticide may be present in the discharge at detectable concentrations. The Discharger shall use USEPA standard analytical techniques with detection limits equal to or less than the lowest minimum level published in Appendix 4 of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (known as the State Implementation Plan or SIP).

**iv. Total Ammonia:** Effluent total ammonia (as N) shall not exceed the following from 1 April through 31 October:

- a) 1.22 mg/L as a monthly average;
- b) 18.3 lbs/day as a monthly average;
- c) 5.62 mg/L as a one-hour average; and
- d) 84.4 lbs/day as a one-hour average.

**Total Ammonia:** Effluent total ammonia (as N) shall not exceed the following from 1 November through 31 March:

- e) 1.80 mg/L as a monthly average;
- f) 27.0 lbs/day as a monthly average;
- g) 5.62 mg/L as a one-hour average; and
- h) 84.4 lbs/day as a one-hour average.

3. The effluent limitations specified in Order No. R5-2006-0096 for aluminum, ammonia, and methoxychlor are based on the Basin Plan narrative toxicity objective; the effluent limitations for iron and manganese are based on the Basin Plan chemical constituents objective; the effluent limitations for organochlorine pesticides are based on the Basin Plan pesticides objectives; and the effluent limitations for diazinon are based on the site-specific Basin Plan objective and waste load allocation for diazinon in the lower Feather River. With the exception of the site-specific objective and waste load allocation for diazinon, these limitations are based on existing Basin Plan water quality objectives that were adopted prior to 25 September 1995. The Basin Plan deadline for compliance with the waste load allocation for diazinon is 30 June 2008. Effluent limitations for these pollutants are new limitations that were not prescribed in previous Order No. 5-00-165, adopted by the Regional Water Board on 16 June 2000.

#### NEED FOR TIME SCHEDULE ORDER (TSO) AND LEGAL BASIS

4. The Discharger operates the Linda County Water District Wastewater Treatment Plant.
5. California Water Code (CWC) Section 13300 states: *“Whenever a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the regional board, or the state board, or that the waste collection, treatment, or disposal facilities of a discharger are approaching capacity, the board may require the discharger to submit for approval of the board, with such modifications as it may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements.”*
6. Federal regulations, 40 CFR Part 122.44 (d)(1)(i), require that NPDES permit effluent limitations must control all pollutants which are or may be discharged at a level which will cause or have the reasonable potential to cause or contribute to an in-stream excursion above any State water quality standard, including any narrative criteria for water quality.

Beneficial uses, together with their corresponding water quality objectives or promulgated water quality criteria, can be defined per federal regulations as water quality standards.

7. In accordance with CWC Section 13385(j)(3), the Regional Water Board finds that, based upon results of effluent monitoring, the Discharger is not able to consistently comply with the effluent limitations for aluminum, ammonia, diazinon, iron, manganese, methoxychlor, and organochlorine pesticides. These limitations are new requirements that become applicable to the Order after the effective date of adoption of the waste discharge requirements, and after 1 July 2000, for which new or modified control measures are necessary in order to comply with the limitation, and the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.
8. Immediate compliance with these new effluent limitations for aluminum, ammonia, diazinon, iron, manganese, methoxychlor, and organochlorine pesticides is not possible or practicable. The Clean Water Act and the California Water Code authorize time schedules for achieving compliance as soon as possible, up to a maximum duration of five (5) years, which is the maximum term of any NPDES permit.
9. Facilities can be built to correct the violations that would otherwise be subject to mandatory penalties under CWC Section 13385(h) and (i). The Discharger can take reasonable measures to achieve compliance within five (5) years. This Order provides a time schedule for the Discharger to develop, submit, and implement methods to achieve compliance or to construct necessary treatment facilities to meet these new effluent limitations.
10. The *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (SIP) requires compliance with California Toxics Rule (CTR) criteria no later than 18 May 2010. Organochlorine pesticides in the effluent (alpha BHC, aldrin, beta endosulfan, beta BHC, heptachlor, and lindane) have a reasonable potential to exceed CTR criteria. Compliance with the Basin Plan objective of no detectable organochlorine pesticides will result in compliance with the CTR. The SIP includes a compliance date of 18 May 2010 for CTR constituents; therefore this Order requires full compliance with the organochlorine pesticides objective and effluent limitation by 18 May 2010.
11. The Discharger has proposed to upgrade the WWTP to comply with the compliance dates in this Order.
12. Since the time schedule for completion of action necessary to achieve full compliance and bring the waste discharge into compliance exceeds one year, interim requirements and dates for their achievement are included in this Order. This Order includes interim, performance-based effluent limitations although the Discharger cannot identify and control the sources of aluminum, ammonia, diazinon, iron, manganese, methoxychlor, and organochlorine pesticides in the wastewater until implementation of the final compliance project. These interim effluent limitations consist of a maximum daily effluent

concentration derived using effluent sample data summarized below and applying the statistical methodologies for estimating maximum concentrations identified in Chapter 3 of U.S. EPA's *Technical Support Document for Water Quality-based Toxics Control* (TSD). Derivation of these interim limitations is summarized below:

	<i>Aluminum</i> (µg/L)	<i>Ammonia</i> (mg/L)	<i>Diazinon</i> (µg/L)	<i>Iron</i> (µg/L)	<i>Manganese</i> (µg/L)	<i>Methoxychlor</i> (µg/L)	<i>Organochlorine Pesticides</i> <sup>1</sup> (µg/L)
Number of Observations	12	33	4	15	13	6	6-8
Maximum Concentration	470	27.2	0.36	275	3,200	0.093	ND-0.094
Coefficient of Variation <sup>2</sup>	0.495	0.475	0.600	0.319	2.82	2.29	0.600
Multiplier <sup>3</sup>	2.4	1.7	4.7	1.7	14	3.8	3.3-3.8
Projected Maximum Effluent Concentration <sup>4</sup>	1,120	46.78	1.7	466	45,768	0.355	0.729

1. Used individual, detected organochlorine pesticides and summed projected maximum effluent concentrations for each.
  2. A default CV of 0.6 was used where the number of observations was less than 10.
  3. The multiplying factor (for 99% confidence level and 99% probability basis) is dependent on the coefficient of variation (CV) and number of reported effluent results (From Table 3-1 of the U.S. EPA's *Technical Support Document for Water Quality-based Toxics Control*).
  4. The projected Maximum Effluent Concentration is determined by multiplying the maximum detected concentration by a factor that accounts for statistical variation.
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13. This time schedule does not exceed five years. Actions can be taken to correct the violations that would otherwise be subject to mandatory penalties under CWC Section 13385(h) and (i), and the Discharger can take reasonable measures to achieve compliance within five (5) years from the date the waste discharge requirements were required to be reviewed pursuant to CWC Section 13380.
  14. CWC Section 13385(j)(3) requires the Discharger to prepare and implement a pollution prevention plan pursuant to Section 13263.3 of the California Water Code. A pollution prevention plan addresses only those constituents that can be effectively reduced by source control measures.
  15. The CWC Section 13385(h) and (i) require the Regional Water Board to impose mandatory minimum penalties upon dischargers that violate certain effluent limitations. CWC Section 13385(j) exempts certain violations from the mandatory minimum penalties. CWC Section 13385(j)(3) exempts the discharge from mandatory minimum penalties "where the waste discharge is in compliance with either a cease and desist order issued pursuant to Section 13301 or a time schedule order issued pursuant to Section 13300, if all the [specified] requirements are met."

16. Compliance with this TSO exempts the Discharger from mandatory penalties for violations of Interim Effluent Limitations – Discharge Point EFF-002 IV.A.2 contained in Order No. R5-2006-0096 for aluminum, ammonia, diazinon, iron, manganese, methoxychlor, and organochlorine pesticides only, in accordance with CWC Section 13385(j)(3).
17. On 22 September 2006, in Rancho Cordova, California, after due notice to the Discharger and all other affected persons, the Regional Water Board conducted a public hearing at which evidence was received to consider a Time Schedule Order under California Water Code Section 13300 to establish a time schedule to achieve compliance with waste discharge requirements.
18. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, *et seq.*), in accordance with California Water Code Section 15321 (a)(2), Title 14, of the California Code of Regulations.
19. Any person adversely affected by this action of the Board may petition the State Water Resources Control Board to review this action. The petition must be received by the State Water Resources Control Board, Office of the Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date on which this action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

**IT IS HEREBY ORDERED THAT:**

1. Pursuant to California Water Code Section 13300, the Linda County Water District shall comply with the following time schedule to ensure compliance with the aluminum, ammonia, diazinon, iron, manganese, methoxychlor, and organochlorine pesticides effluent limitations contained in WDRs Order No. R5 2006-0096 as described in the above Findings:

<b>Task</b>	<b>Compliance Date</b>
Progress Report/Implementation Schedule	<b>1 November 2006</b>
Submit Pollution Prevention Plan <sup>1</sup>	<b>1 January 2007</b>
Progress Reports <sup>2</sup>	<b>1 January and 1 July of each year</b>
Achieve Compliance with Organochlorine Pesticides Effluent Limitation	<b>18 May 2010</b>
Achieve Full Compliance	<b>21 September 2011</b>

1. The Pollution Prevention Plan shall be prepared for all constituents listed above and shall meet the requirements specified in California Water Code Section 13263.

2. The progress reports shall detail what steps have been implemented towards achieving compliance with waste discharge requirements, including construction progress, evaluate the effectiveness of the implemented measures and assess whether additional measures are necessary to meet the time schedule.

2. Discharge from the Linda County Water District WWTP at Discharge Point EFF-002 shall not exceed the following interim, performance-based effluent limitations:

<b>Constituent</b>	<b>Units</b>	<b>Average Monthly Effluent Limitation</b>
Aluminum, Total Recoverable	µg/L	1,100
Ammonia (as N)	mg/L	46.8
	lbs/day	703
Diazinon	µg/L	1.7
	lbs/day	0.026
Iron, Total Recoverable	µg/L	470
Manganese, Total Recoverable	µg/L	46,000
Methoxychlor	µg/L	0.36
Organochlorine Pesticides	µg/L	0.73

3. If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may apply to the Attorney General for judicial enforcement or issue a complaint for Administrative Civil Liability.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 22 September 2006.

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PAMELA C. CREEDON,  
Executive Officer