

ITEM: 13

SUBJECT: Placer County Department of Facility Services,
Sewer Maintenance District No. 3, Placer County

BOARD ACTION: *Consideration of a Cease and Desist Order*

BACKGROUND: Placer County Department of Facility Services (Discharger) owns and operates the Sewer Maintenance District No. 3 wastewater treatment plant (Facility) that is permitted to discharge up to 0.3 million gallons per day of treated wastewater to Miners Ravine.

On 22 June 2007, the Central Valley Water Board adopted Waste Discharge Requirements (WDR) Order R5-2007-0070 (NPDES Permit No. CA0079367) and Cease and Desist Order (CDO) R5-2007-0071 for the Facility to comply with new effluent limitations for aluminum, copper, dibromochloromethane, and dichlorobromomethane (chlorine byproducts). The Discharger stated that regionalization with the City of Roseville's Dry Creek wastewater treatment plant was the most cost-effective method for the Facility to comply with the May 2010 compliance date for these final effluent limitations. The Discharger originally proposed to regionalize in 2000 to address previous NPDES issues with their individual surface water discharge. During the last decade, the projected date to regionalize continued to be delayed. The Discharger now projects the regionalization project will be completed by December 2014. In the interim, the Discharger has paid mandatory minimum penalties that went into effect after May 2010, in place of implementing interim plant upgrades or water quality studies to comply with limits for aluminum, copper and chlorine byproducts.

The proposed Cease and Desist Order rescinds CDO R5-2007-0071 and provides a new compliance date of December 2014 for final effluent limitations until the Facility is regionalized. The proposed enforcement order also provides protection from mandatory minimum penalties throughout the compliance schedule. In addition to requiring the regionalization project be completed by December 2014, the proposed Order contains interim milestones with corresponding interim compliance dates. As proposed, failure to comply with interim milestone compliance due date may result in the Discharger losing protection from mandatory minimum penalties.

ISSUES: The compliance due dates in the proposed Order conforms to the Discharger's construction schedule. The proposed Order was issued for public review on 14 November 2011, and timely comments were received from the Discharger. The comments do not oppose the proposed Order and are included in the Agenda Package. No other comments were received. Staff considered the Discharger's comments and made the following modifications to the proposed Order:

- Clarification of dry weather flow conditions,
- Correction of Task b Due Date to conform with CEQA requirements, and
- Correction of Average Monthly Interim Effluent Limits.

The modified proposed Order was re-issued for public review, with further public comments due on 27 January 2012. Staff will respond to any further

public comments received on this item during the 2/3 February 2012 Board hearing, if necessary.

Mgmt. Review _____

Legal Review _____

2 February 2012 Board Meeting
11020 Sun Center Dr. #200
Rancho Cordova, CA 95670