

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2013-XXXX

RESCISSION OF CEASE AND DESIST ORDER R5-2010-0064
FOR
CITY OF MT. SHASTA AND
U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE
CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT
SISKIYOU COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter referred to as Central Valley Water Board or Board) finds:

1. The City of Mt. Shasta (Discharger) owns and operates the City of Mt. Shasta Wastewater Treatment Plant (WWTP). The WWTP discharges treated wastewater to the Sacramento River, a water of the United States. The WWTP is located at 2500 Grant Road in Mt. Shasta.
2. On 21 June 2007, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2007-0056, NPDES Permit No. CA0078051 that prescribed waste discharge requirements for the Discharger's WWTP. WDRs Order No. R5-2007-0056 contained, in part, final effluent limits for ammonia, copper, and zinc that the Discharger could not comply with until additional, necessary control measures were identified and implemented.
3. WDRs Order R5-2007-0056 contained interim effluent limits for ammonia and a time schedule to comply with the final ammonia effluent limits by 18 May 2010.
4. Cease and Desist Order (CDO) R5-2007-0057 was issued concurrent with the adoption of WDRs Order R5-2007-0056 to grant a time schedule for compliance with the final effluent limits for copper and zinc. This CDO R5-2007-0057 contained interim effluent limits for copper and zinc which required the Discharger to come in to compliance with final effluent limits by 18 May 2010.
5. On 27 May 2010, Central Valley Water Board found the Discharger had completed required tasks as specified in WDRs Order R5-2007-0056 and CDO R5-2007-0057 to pursuit compliance with final effluent limits for ammonia, copper, and zinc. Central Valley Water Board rescinded CDO R5-2007-0057 and adopted CDO R5-2010-0064 to provide the Discharger interim effluent limits and a single time schedule to fully implement additional control measures specified in plans submitted by the Discharger, or take other actions to come into compliance with final effluent limits. This CDO R5-2010-0064 set a final compliance deadline of 1 June 2012 to meet final effluent limits for ammonia, copper, and zinc.

6. WDRs Order R5-2007-0056 expired on 1 June 2012 and was administratively extended until the Central Valley Water Board adopted WDRs R5-2012-0086, NPDES Permit No. CA0078051 on 4 October 2012, prescribing new waste discharge requirements for the Discharger's WWTP. WDRs Order R5-2012-0086 establishes final effluent limits for ammonia, copper, and zinc that the Discharger could not immediately comply with based upon new information obtained from effluent and receiving water monitoring data collected during the term of the previous permit (WDRs Order R5-2007-0058).
7. Time Schedule Order (TSO) R5-2012-0087 was issued concurrent with the adoption of WDRs Order R5-2012-0086 to grant a time schedule for compliance with the final effluent limits for ammonia, copper, and zinc. This TSO R5-2012-0087 contains interim effluent limits for ammonia, copper, and zinc and provides a compliance time schedule table outlining specific requirements to ensure compliance with the final effluent limits. This TSO R5-2012-0087 requires the Discharger to complete all facility improvements necessary to achieve compliance with final effluent limits for ammonia, copper, and zinc by 1 June 2017.
8. The Discharger has achieved compliance by completing all of the tasks in CDO R5-2010-0064 or taking other actions to come into compliance with final effluent limits and is making diligent progress towards meeting those requirements as specified in TSO R5-2012-0087, rescission of CDO R5-2010-0064 is appropriate.
9. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to rescind CDO R5-2010-0064 and has provided them with an opportunity for a public hearing and an opportunity for them to submit their written views and recommendations.
10. Issuance of this Order is an enforcement action of a regulatory agency, and therefore, is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code § 21000 et seq.), in accordance with California Code of Regulations, title 14, section 15321(a)(2).
11. The Central Valley Water Board, in a public meeting, heard and considered all comments and evidence pertaining to this matter.

12. Any person adversely affected by this action of the Central Valley Water Board may petition the State Water Resources Control Board (State Board) to review this action. The petition must be received by the State Board, Office of the Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date in which the action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

IT IS HEREBY ORDERED that Cease and Desist Order R5-2010-0064 is rescinded.

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 XX October 2013.

PAMELA C. CREEDON, Executive Officer