

ITEM: 10

SUBJECT: Tuolumne Utilities District, Sonora Regional Wastewater Treatment Plant and Jamestown Wastewater Treatment Plant, Tuolumne County

BOARD ACTION: *Consideration of Rescission of Waste Discharge Requirements Order R5-2008-0162 and Time Schedule Order R5-2010-0908 (NPDES No. CA0084727)*

BACKGROUND: Tuolumne Utilities District (TUD) owns and operates the Sonora Regional Wastewater Treatment Plant (SRWTP) that serves approximately 25,000 people in the communities of Twain Harte, Sonora, Mono Village, Rancho Sonora Estates, Columbia, Willow Springs, Ranchos Poquitos, and Columbia. The SRWTP discharges an average dry weather flow of 1.3 million gallons per day (MGD) of disinfected secondary wastewater to Quartz Reservoir prior to distribution for reclamation by agricultural end-users. The Jamestown Sanitary District (JSD), which owns and operates the JSD Wastewater Treatment Plant, serves approximately 3,000 people and contracts with TUD for its effluent disposal. JSD discharges an average dry weather flow of 0.28 MGD of disinfected secondary wastewater to Quartz Reservoir. The predominant method of disposal is reuse for irrigation of agricultural lands, which is regulated by Waste Discharge Requirements (WDR) and Master Reclamation Permit Order R5-2002-0202. However, due to a lack of storage capacity in Quartz Reservoir during high precipitation years, excess water from Quartz Reservoir may be discharged seasonally (1 December through 15 May) to Woods Creek in accordance with WDR Order R5-2008-0162 (NPDES Permit) and Time Schedule Order R5-2010-0908 (TSO).

The TSO was issued by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) requiring compliance with final effluent limitations for copper and zinc in the NPDES permit. In 2009, TUD completed a study in which the preferred compliance project was to expand storage capacity and irrigation areas to transition to a 100 percent land disposal system, ceasing its need to discharge to Woods Creek. Over the past few years TUD has added approximately 53 acres of irrigation area, including sprinkler improvements on the Gardella Property. In addition, improvements have been completed to Quartz Reservoir to increase the storage capacity by 175 acre-feet. On 13 September 2013, TUD submitted an updated water balance demonstrating its effluent storage and disposal system is capable of containing all wastewater on land and requested rescission of the NPDES permit and TSO.

The NPDES permit expired on 1 October 2013. Since TUD was transitioning to a 100 percent land disposal system, a request was submitted on 28 June 2013 requesting the rescission of the NPDES permit and TSO. TUD, therefore, did not submit an application for renewal of the NPDES permit. Since the NPDES permit expired and a complete application for renewal was not submitted by TUD, the NPDES permit is no longer effective and TUD cannot legally discharge to surface water. The proposed NPDES permit rescission is merely to officially rescind the NPDES permit for recordkeeping purposes.

ISSUES: A Notice of Public Hearing was sent to TUD and interested parties on 22 November 2013 for a 30-day public comment period. Timely public comments were received contesting the rescission from the California Sportfishing Protection Alliance (CSPA). Additionally, timely comments supporting the rescission were received from the Central Sierra Environmental Resource Center (CSERC), Jamestown Sanitary District (JSD), and the Twain Harte Community Services District (THCSD).

The following is a summary of the comments on the major issues and Central Valley Water Board staff responses. Detailed comments and responses are included in the Staff Response to Comments document included in the agenda package.

**Supportive Comments.** CSERC supports the rescission because TUD has proactively and efficiently completed important work at Quartz Reservoir to eliminate the need for the NPDES permit. JSD and TWCSD also support the rescission because the alternative of requiring compliance with the NPDES permit effluent limits would only be achieved through significant improvements at both TUD's and JSD's wastewater treatment facilities. The improvements to the effluent storage and land application systems were the cost-effective compliance project and demonstrate the NPDES permit can be rescinded.

**Non-Compliance with TSO R5-2010-0908.** CSPA comments that the rescission is inappropriate since certain requirements of the TSO have not been met.

The TSO required TUD to complete its Phase 1 project to expand land application and storage capacity in order to cease all discharges to surface waters by 1 January 2014. TUD has completed the necessary improvements and provided evidence that surface water discharges are no longer necessary for disposal. Consequently, TUD has fully complied with the TSO.

**Non-Compliance with WDR R5-2002-0202.** CSPA comments that TUD has failed to comply with WDR Order R5-2002-0202 since TUD has not demonstrated that the groundwater is not being degraded.

The NPDES permit and TSO only regulate surface water discharges to Woods Creek. WDR Order R5-2002-0202 regulates all discharges to land. TUD currently operates its effluent storage and disposal system to maximize discharges to land and only discharged to Woods Creek as a last resort during wet years when there had been insufficient storage in Quartz Reservoir. With the improvements to Quartz Reservoir to increase storage capacity and the addition of land application areas, TUD now has sufficient effluent storage capacity. TUD is currently operating its effluent storage and land application areas with these improvements. The rescission of the NPDES permit will not change land application operations and therefore, not change its impacts to groundwater. Thus, comments regarding WDR Order R5-2002-0202 and the alleged impacts to groundwater are irrelevant to the proposed rescission of the NPDES permit and TSO.

**Insufficient Storage capacity to contain all the wastewater.** CSPA comments that TUD cannot state with certainty that it will be able to contain all wastewater within its storage reclamation system, and therefore never discharge to Woods Creek.

The water balance submitted by TUD demonstrates the reclamation facilities can comply with the storage requirements in WDR Order R5-2002-0202. The water balance analysis adequately demonstrates the reclaimed water storage system has sufficient storage capacity to accommodate all wastewater, design seasonal precipitation, and ancillary inflow and infiltration based on a total annual precipitation with a return period of 100 years.

**RECOMMENDATION:** Adopt Rescission of Waste Discharge Requirements Order R5-2008-0162 and Time Schedule Order R5-2010-0908

Mgmt. Review AWL

Legal Review \_\_\_\_\_

6/7 February 2014 Board Meeting

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