

ITEM: 19

SUBJECT: Sierra Pacific Industries, Quincy Division, Plumas County

BOARD ACTION: *Consideration of NPDES Permit Renewal (NPDES Permit No. CA0080357)*

BACKGROUND: Sierra Pacific Industries, Inc., Quincy Division (Discharger) owns and operates a sawmill and wood-burning cogeneration facility and discharges process wastewater, composed of log deck sprinkling water and first flush storm water runoff from a 53.6-acre log deck area, and industrial storm water, composed of storm water runoff post first flush from the log deck area, to Mill Creek in Plumas County. Industrial storm water from other areas of the Facility may also be discharged to an on-site irrigation pond or Mill Creek, and is regulated by the State Water Resources Control Board's Industrial General Storm Water Permit (General Permit). The Discharger submitted a Report of Waste Discharge and requested renewal of the existing NPDES permit for process wastewater and industrial storm water from the log deck area. The Central Valley Regional Water Quality Control Board (Central Valley Water Board) will consider adoption of the proposed NPDES permit renewal to regulate the discharges from the Facility. Discharges from the Facility are currently regulated by Waste Discharge Requirements Order R5-2008-0090. The United States Environmental Protection Agency and the Central Valley Water Board (Board) have classified this discharge a minor discharge.

The proposed NPDES permit includes new or more stringent effluent limits for zinc, lead, and copper. The propose permit also includes new storm water effluent limits for pH, settleable solids, and acute toxicity. The proposed Order removes effluent limits for electrical conductivity (EC), because the discharge no longer exhibits reasonable potential to cause or contribute to an exceedance of the applicable water quality objectives for EC. Additionally, Industrial Storm Water Action Levels have been added for Total Suspended Solids (TSS), copper, zinc, COD, tannins and lignins, and chronic toxicity.

ISSUES: A Notice of Public Hearing that was sent to the discharger and interested parties on 23 March 2015 and opened a 30-day public comment period. Timely public comments on the tentative NPDES permit were received by the Discharger. The following is a summary of the comments on the major permitting 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.

**General Comments on the Tentative Order.** In general, the Discharger believes that investments made into the facility have demonstrated significant and continual water quality improvements, and should result in a corresponding reduced regulatory burden. The Discharger objects to the regulation of the industrial storm water from the log deck that is more stringent than the General Permit.

**Response.** *Discharges of industrial storm water from the log deck pose an elevated threat to water quality. Past discharges have caused exceedances of effluent and receiving water limitations, and have exhibited acute and chronic whole effluent toxicity. The General Permit is not sufficient to regulate the industrial storm water from the log deck area. The requirements in the proposed permit are necessary to protect the beneficial uses of the receiving water.*

**Effluent Limits.** The Discharger requests: a) continue using the current permit effluent hardness of 45 mg/L, instead of the proposed permit receiving water hardness of 30 mg/L for the effluent limit calculations of copper, lead, and zinc; and b) remove the effluent limits for chemical oxygen demand (COD) and iron.

**Response.** Board staff concurs regarding the removal of the effluent limits for COD and iron and have removed the limits from the proposed Order. However, Board staff does not concur regarding copper, lead, and zinc. The effluent limits in the proposed Order have been calculated in accordance with State Policy and the California Toxics Rule, and are necessary to protect aquatic life.

**Industrial Storm Water Action Levels (Action Levels).** The Discharger disagrees with establishing Action Levels for pollutants that are not prescribed as a concern for sawmills and log yards in the General Permit. Therefore, the Discharger requested the Action Levels for total suspended solids (TSS), zinc, and chemical oxygen demand (COD) are changed from a maximum daily to an annual average to be consistent with the General Permit. The Discharger also requested the removal of the Action Levels for copper, iron, tannins and lignins, and chronic toxicity, which are not included in the General Permit.

**Response.** The discharge from the log yard area poses elevated risk to receiving water quality and therefore an individual permit is proposed, rather than relying on the General Permit. The General Permit does not contain adequate conditions or monitoring requirements to ensure that receiving water quality is protected. The Action Levels in the proposed permit are based on site-specific conditions of the discharge and receiving water, and are necessary to protect beneficial uses. Board staff concurs regarding the removal of the action level for iron and have modified the proposed Order accordingly.

**Monitoring and Reporting Requirements.** The Discharger requested modifications of monitoring and reporting requirements for the following:

- a) Industrial Storm water Monitoring for Copper, Lead, Chronic Toxicity, and Priority Pollutants. The Discharger requests that monitoring of industrial storm water should not include, copper, lead, chronic toxicity, or Priority Pollutants and other Constituents of Concern.

**Response.** Board staff concurs that monthly monitoring for lead should be removed for the industrial storm water discharge. However, to evaluate compliance with the Industrial Storm Water Action Levels, monitoring for copper and chronic toxicity is needed, and once per permit term monitoring for Priority Pollutants and Other Constituents of Concern is necessary to ensure adequate information is available for the next NPDES permit renewal.

- b) Groundwater Monitoring Requirements. The Discharger request a monitoring reduction provision be added that would allow for a reduction of groundwater monitoring to annual after 12 consecutive quarters.

**Response.** Board staff concurs and a footnote has been added to the proposed Order in Table E-7 for Groundwater Monitoring Requirements.

c) Ash Monitoring Requirements

The Discharger request that the monitoring frequency remain annual, except for dioxin, which should be once during the permit term because the ash quality is fairly consistent and is already regulated by CalRecycle and the CA Department of Food and Agriculture.

**Response.** *Even though a relatively consistent source of wood fuel is used, some variation in ash quality will occur, so twice per year ash monitoring is reasonable. Reducing monitoring for dioxin would also not be appropriate. The high cost of dioxin monitoring has been considered. The proposed Order allows for reduction of dioxin monitoring frequency upon Executive Officer approval.*

d) Ash Application Area

The Discharger request that the reporting requirements for ash be consistent with the Cal Recycle regulations.

**Response.** *The proposed Order has been modified to be consistent with Cal Recycle regulations, including: 1) an annual report deadline of 1 April each year for ash monitoring, and 2) information regarding final application area by end users is not required for ash that has been sold or supplied to intermediate producers for use in manufacturing commercial soil amendment products.*

RECOMMENDATION: Adopt NPDES Permit Renewal, as proposed.

Mgmt. Review    NM     
Legal Review    NJ   

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