

California Regional Water Quality Control Board  
North Coast Region

Resolution No. R1-2005-0074  
WDID NO. 1A89001NDN

Conditional Waiver of Waste Discharge Requirements

For

California Department Of Corrections  
Pelican Bay State Prison  
Facultative Sludge Pond Supernatant

Del Norte County

**WHEREAS,** The State of California, Department of Corrections submitted a Report of Waste Discharge (ROWD) dated February 17, 2005. Additional information to complete the ROWD was submitted on May 16, 2005; and

**WHEREAS,** The Department of Corrections operates wastewater treatment and disposal facilities for Pelican Bay State Prison near the community of Fort Dick. Regional Water Board Order No. 94-71 provides Waste Discharge Requirements for tertiary treated effluent and solids removed from the wastewater; and

**WHEREAS,** The Department of Corrections proposes a one-year trial period for a modified solids disposal procedure. In addition to sludge injection as regulated under Waste Discharge Requirements Order No. 94-71, the Department of Corrections will use sludge supernatant to irrigate the sludge disposal fields used in compliance with Order No. 94-71. Order No. 94-71 may subsequently be amended to include sludge supernatant irrigation if the trial period satisfactorily reduces phosphorus concentrations in tertiary effluent; and

**WHEREAS,** The California Environmental Quality Act (CEQA), Public Resources Code section 21080.07, provides an exemption for any approval necessary to the construction, operation, or maintenance of the Pelican Bay Prison in Del Norte County; and

**WHEREAS,** The Regional Water Board conducted a public hearing on August 10, 2005, in Santa Rosa, California, and considered all evidence concerning this matter.

**THEREFORE BE IT RESOLVED,** that the Regional Water Board, based on the aforementioned hearing, finds that a Waiver of Waste Discharge Requirements for the trial application of facultative sludge supernatant by the California Department of Corrections would not be against the public interest provided that the Discharger is in compliance with the following:

- (a) The discharger shall comply with all applicable provisions of the Water Quality Control Plan for the North Coast Region;
- (b) the discharger shall comply with the conditions for this Waiver of Waste Discharge Requirements as set forth herein, and discharge only in accordance with the ROWD;
- (c) the discharger shall not create a pollution, contamination, or nuisance, as defined by California Water Code Section 13050;
- (d) the Department of Corrections shall allow Regional Water Board staff reasonable access onto the affected property for the purpose of performing an inspection to determine compliance with Waiver conditions;
- (e) the discharge of waste to land that is not patrolled routinely around the clock to prevent access is prohibited;
- (f) the discharge of wastewater to the Smith River or its tributaries is prohibited;
- (g) the discharge of untreated or partially treated process waste from anywhere within the treatment or disposal facility is prohibited except as described as an authorized discharge in this Waiver or another order of the Regional Water Board;
- (h) the use of sludge supernatant shall be restricted to designated irrigation fields #1, #3, and #4 as shown on the attached map from the ROWD.
- (i) sludge supernatant irrigation is prohibited from the beginning of any calendar year until the last hay crop of that calendar year has been removed from the irrigation area;
- (j) sludge supernatant irrigation through sprinklers or other methods propelling liquid through the air is prohibited;
- (k) sludge supernatant irrigation is prohibited while the bottom of the drainage trench is moist to the touch at the point that trench discharges to the detention pond receiving runoff from that irrigation area;
- (l) sludge supernatant irrigation is prohibited if more than one hour has passed since the last observation of the drainage trench between the irrigated area and the detention basin receiving runoff from that irrigation area;
- (m) sludge supernatant irrigation is prohibited while there is any liquid water in the detention basin receiving runoff from that irrigation area;
- (n) sludge supernatant irrigation is prohibited when National Oceanic and Atmospheric Administration forecasts greater than 0 percent probability of rain for Crescent City within the following 48 hours;

- (o) the Department of Corrections shall comply with Monitoring and Reporting Program No. R1-2005-0075 and any modifications as specified by the Executive Officer. The Monitoring and Reporting Program is attached to this Order and incorporated herein. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services;
- (p) sludge supernatant discharged to land by irrigation must contain detectable quantities of dissolved oxygen;
- (q) sludge supernatant discharged to land by irrigation shall not contain 30-day average biochemical oxygen demand in excess of 45 mg/l;
- (r) the median concentration of total coliform bacteria in the sludge supernatant discharged to land by irrigation shall not exceed a most probable number (MPN) of 23 per 100 milliliters utilizing the bacteriological results of the last seven days for which analyses have been completed, and the number of total coliform bacteria shall not exceed an MPN of 240 per 100 milliliters in more than one sample.

BE IT FURTHER RESOLVED, that the discharge of any waste not specifically regulated by the Waiver described herein is not authorized by this Waiver.

BE IT FURTHER RESOLVED, that this Waiver of Waste Discharge Requirements shall expire on December 31, 2005.

BE IT FURTHER RESOLVED, that this action waiving the issuance of Waste Discharge Requirements for the trial application of facultative sludge supernatant by the California Department of Corrections: (a) is conditional; (b) may be terminated at any time; (c) does not permit an illegal activity; (d) does not preclude the need for permits which may be required by other local or governmental agencies, and; (e) does not preclude the Regional Water Board from administering enforcement remedies (including civil penalties) pursuant to the California Water Code.

#### Certification

I, Catherine E. Kuhlman, Executive Officer do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, North Coast Region, on August 10, 2005.

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Catherine E. Kuhlman  
Executive Officer