

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2007-0141

AMENDING
WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2003-0061
(NPDES NO. CA0082848) AND
CEASE AND DESIST ORDER NO. R5-2003-0062
FOR

SAN JOAQUIN COUNTY SERVICE AREA 31
FLAG CITY WASTEWATER TREATMENT PLANT
SAN JOAQUIN COUNTY

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

1. Waste Discharge Requirements (WDR) Order No. R5-2003-0061 (NPDES No. CA 0082848) and Cease and Desist Order (CDO) No. R5-2003-0062 were adopted on 25 April 2003, prescribing waste discharge requirements and providing a compliance schedule for the San Joaquin County Service Area 31 (hereafter Discharger).
2. On average, the Discharger collects, treats, and disposes of approximately 40,000 gallons per day (0.04 mgd) of domestic and industrial wastewater. The Discharger is in the process of implementing a project to discharge all wastewater from the Service Area to the City of Lodi White Slough Water Pollution Control Plant in lieu of upgrading the facility to comply with final effluent limitations.
3. The Discharger requested and was granted amendment of WDR Order No. R5-2003-0061 to extend the final compliance dates for Provision F.6. twice since permit adoption. The Regional Water Board adopted the first extension on 10 September 2004 (Resolution No. R5-2004-0126) to extend final compliance dates from 1 May 2004 to 1 November 2005. The Regional Water Board adopted the second extension on 24 June 2005 (R5-2005-0091) to extend final compliance dates from 1 November 2005 to 1 January 2008.
4. The Discharger submitted a letter dated 27 June 2007, requesting a third amendment to WDR Order No. R5-2003-0061 to extend the final compliance dates in Provisions F.6. and F.7. from 1 January 2008 to 1 July 2008, through either a permit amendment or enforcement Order, and requesting an amendment to CDO Order No. R5-2003-0062 to extend the final compliance date for Provision 2 from 1 January 2008 to

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- 1 July 2008. The Discharger indicated that negotiations to develop an agreement with the City of Lodi to accept the sewage flows took longer than anticipated. The negotiations were acceptable and Lodi Water Pollution Control Facility will accept Flag City's sewage by 1 July 2008.
5. The Regional Water Board has considered this request and determined that an extension of time schedules included in Provisions F.6. and F.7. of WDR Order No. R5-2003-0061 and Provision 2 of the CDO No. R5-2003-0062 until the end of the permit term, is reasonable and appropriate, and that the permit term should be extended to a five-year term.
 6. The action to adopt or amend an NPDES permit or an enforcement action for an existing facility is exempt from the provisions of Chapter 3 of Division 13 of the Public Resources Code in accordance with Section 13389 of the California Water Code.
 7. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to amend Orders for this discharge and has provided them with an opportunity to submit their written views and recommendations.
 8. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the proposed amendments.
 9. This Resolution shall amend WDR Order No. R5-2003-0061 (NPDES No. CA0082848) and CDO No. R5-2003-0062, pursuant to Section 402 of the Clean Water Act, and any amendments thereto, and provided shall take effect upon the date of the hearing, provided EPA has no objections.

IT IS HEREBY ORDERED that Provision F.18. is amended to change the expiration date from 1 April 2008 to 24 April 2008, and Provisions F.6. and F.7. of Waste Discharge Requirements Order No. R5-2003-0061 (NPDES No. CA0082848) and Provision 2 of Cease and Desist Order No. R5-2003-0062 are amended solely to change the final compliance dates from 1 January 2008 to 24 April 2008.

The San Joaquin County Service Area 31, its agents, successors and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the amended Order Nos. R5-2003-0061 and R5-2003-0062.

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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 26 October 2007.

PAMELA C. CREEDON, Executive Officer