

ITEM: 30

SUBJECT: Master Reclamation Permit, City of Lincoln, Placer County

BOARD ACTION: *Consideration of Order Amending Order R5-2005-0040 to Rescind NPDES Requirements*

BACKGROUND: The City of Lincoln (Discharger) owns and operates a wastewater collection, treatment, and disposal system, and provides sewerage service to the City of Lincoln. The treatment system produces high quality Title 22 tertiary treated effluent that complies with reclamation criteria.

On 17 March 2005, the Central Valley Water Board adopted Order R5-2005-0040 (National Pollutant Discharge Elimination System (NPDES) Permit No. CA0085103), a Master Reclamation Permit which authorizes the use of treated wastewater to irrigate rice fields and fodder crops, and allows for other uses of the reclaimed water. Order R5-2005-0040 allows discharge to surface water resulting from irrigation of rice fields. This existing 2005 Order serve as waste discharge requirements for the application of a treated wastewater to land, with the additional NPDES component to specifically regulate the surface water discharge of tail waters from the rice fields.

In its October 2009 Report of Waste Discharge for update of the Master Reclamation Permit, the Discharger states that the reclaimed wastewater is applied to land only as: 1) spray irrigation of approximately two acres at the Discharger's wastewater treatment facility, and 2) flood irrigation of 211 acres of fodder crops. The Discharger also proposes other uses for the reclaimed wastewater, including irrigation of rice.

Title 22 recycled water, produced by the City of Lincoln wastewater treatment plant, is a water supply. Tail water discharge resulting from the irrigation of cropland using any water supply is regulated under the California Water Code through the Central Valley Water Board's Irrigated Lands Regulatory Program. The regulation of tailwater resulting from the use of Title 22 recycled water as an irrigation water supply, through an NPDES permit within the existing Master Reclamation Permit, establishes overlapping regulations that are unnecessary.

The proposed permitting action is to solely rescind the federal NPDES requirements in the existing 2005 Master Reclamation Permit. The remaining existing Master Reclamation Permit will be updated under a future separate permitting action pertaining to discharge to land only. Therefore, the proposed Order amends the existing Master Reclamation Permit and Monitoring and Reporting Program solely to remove NPDES requirements. All other portions of

Order R5-2005-0040 and Monitoring and Reporting Program R5-2005-0040 remain unchanged.

The proposed action parallels the State Water Board's recognition of tertiary treated wastewater as a water supply for landscape irrigation, as regulated through State Board General Waste Discharge Requirements, Water Quality Order 2009-0006. The State Board General Order does not contain NPDES requirements for incidental runoff.

ISSUES:

The proposed Order was sent out for public review on 20 January 2012. Comments were received from the City of Lincoln, the California Rice Commission and the Central Valley Clean Water Association. Staff Response to Comments are included in the Agenda Package.

In summary, the City of Lincoln requests changes to the existing 2005 Master Reclamation Permit that pertain to the waste discharge requirements for discharge to land. Staff has noted these comments; however the comments are outside the scope of the proposed permitting action of rescinding the NPDES component of the existing Order.

The California Rice Commission expressed concern regarding the use of recycled wastewater on rice lands and the potential for this use to expand requirements on growers for constituents of concern related to the recycled water. Although these concerns are valid, they are not directly related to the NPDES rescission. The Commission's concerns on unintended consequences is one that needs to be addressed as the Board continues to regulate the use of recycled water in future permitting actions.

RECOMMENDATION: Staff recommends Board adoption of the proposed Order.

Mgmt. Review _____

Legal Review _____

7/8 June 2012 Board Meeting
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