

ITEM: 33

SUBJECT: Rescinding NPDES Permits/Waste Discharge Requirements

REPORT: Following is a proposed order rescinding NPDES Permits and
Waste Discharge Requirements

RECOMMENDATION: Adopt the proposed Order

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2012-XXXX

RESCINDING NPDES/WDR/TIME SCHEDULE ORDERS

- a) Waste Discharge Requirements Order R5-2004-0122 (NPDES No. CA0004791), adopted 10 September 2004 by the Central Valley Regional Water Quality Control Board (Central Valley Water Board), prescribes requirements for the discharge of process water from the Mokelumne River Fish Hatchery to the Mokelumne River, a water of the United States. On 12 April 2012, the California Department of Fish and Game submitted a Notice of Intent (NOI) and applied for coverage under the General Waste Discharge Requirements for Cold Water Concentrated Aquatic Animal Production Facility Discharges (General Order R5-2010-0018-01, NPDES No. CAG135001). Based on information in the NOI, the discharge meets the required conditions for approval under the General Order and a Notice of Applicability was issued by the Central Valley Water Board's Executive Officer. Consequently, Order R5-2004-0122 is no longer necessary and is rescinded. (ARM)
- b) Waste Discharge Requirements Order R5-2005-0057 (NPDES No. CA0004774), adopted on 29 April 2005 by the Central Valley Regional Water Quality Control Board (Central Valley Water Board), prescribes requirements for the discharge of process water from the Nimbus Salmon and Steelhead Hatchery and the American River Trout Hatchery to the American River, a water of the United States. On 16 April 2012, the California Department of Fish and game submitted a Notice of Intent (NOI) and applied for coverage under the General Waste Discharge Requirements for Cold Water Concentrated Aquatic Animal Production Facility Discharges (General Order R5-2010-0018-01, NPDES No. CAG135001). Based on information in the NOI, the discharge meets the required conditions for coverage under the General Order and a Notice of Applicability was issued by the Central Valley Water Board's Executive Officer. Consequently, Order R5-2005-0057 is no longer necessary and is rescinded. (ARM)
- c) Waste Discharge Requirements Order R5-2005-0034 (NPDES No. CA0082961) and Time Schedule Order (TSO) R5-2005-0035 were adopted 17 March 2005 by the Central Valley Regional Water Quality Control Board (Central Valley Water Board). The Orders prescribe requirements for the

discharge of process water from the California Sprouts, LLC to the City of Sacramento storm water system, which flows to Morrison Creek, a water of the United States. On 25 January 2012, the Discharger submitted a Notice of Intent (NOI) and applied for coverage under the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (General Order R5-2008-0082, NPDES No. CAG995002). Based on information in the NOI, the discharge meets the required conditions for coverage under the General Order and a Notice of Applicability was issued by the Central Valley Water Board's Executive Officer. Consequently, Order R5-2005-0034 and TSO R5-2005-0035 are no longer necessary and are rescinded. (ARM)

- d) Waste Discharge Requirements Order R5-2002-0076, adopted on 26 April 2002, prescribes requirements for the discharge of domestic wastewater from the Dark Horse residential subdivision and the Dark Horse Golf Club in Nevada County. The wastewater treatment facility was never completed. Wastewater was discharged to the subdivision sewer system, partially treated, stored in underground tanks, and then hauled to the Lake of the Pines wastewater treatment facility for treatment and disposal. The Lake of the Pines wastewater treatment facility is owned and operated by Nevada County Sanitation District No. 1. In 2007, Owens Financial Group foreclosed on property that included the undeveloped part of the subdivision, the wastewater treatment facility and the golf course. The land that includes the golf course and part of the wastewater treatment facility was then sold to Dark Horse Golf Club, LLC. Ed Fralick owns the land where the wastewater disposal areas and replacement disposal areas are located. On 31 July 2008, the Board adopted Order R5-2008-0123, which amended the WDRs to name Dark Horse LLC, Dark Horse Golf Club LLC, and Ed Fralick as co-dischargers. Since then, all of the sewer connections that had been served by the Dark Horse system have been connected to the Lake of the Pines wastewater treatment facility and the partially completed subdivision wastewater treatment facility and storage tanks are being decommissioned under the oversight of Nevada County. Therefore, it is appropriate to rescind WDRs Order R5-2003-0076 and Order R5-2008-0123. (ALO)
- e) WDRs Order No. 89-015 regulates discharge from the Don Pedro Houseboats/Mini Mart. Pete Pereira Co., LLC applied for coverage under Water Quality Order No. 97-10-DWQ, and a Notice of Applicability authorizing coverage was issued on 26 March 2012. Discharges are now regulated by Order No. 97-10-DWQ. WDRs Order No. 89-015 should be rescinded. (WDH)
- f) Waste Discharge Requirements (WDR) Order R5-2008-0013 and Time Schedule Order (TSO) R5-2002-0156 (NPDES No. CA0082961), were adopted by the Central Valley Regional Water Quality

Control Board (Central Valley Water Board). The Orders prescribe requirements for the discharge of cooling water from the GWF Power Systems, L.P. (Discharger), Wilbur Avenue East Power Plant Antioch Site IV to the San Joaquin River, a water of the United States, within the Sacramento-San Joaquin Delta. By letter dated 10 February 2012, the Discharger informed the Central Valley Water Board that the Wilbur Avenue Site IV Power Plant has ceased operations and is no longer discharging to the San Joaquin River. Therefore, WDR Order R5-2008-0013 and TSO R5-2002 0156 are no longer necessary and are rescinded. (ARM)

- g) Waste Discharge Requirements Order R5-2008-0089 (NPDES No. CA0081949), adopted 12 June 2008 by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) prescribes requirements for the discharge of process water from the J.F. Enterprises Worm Farm to the Stanislaus River, a water of the United States. On 8 February 2012, the Discharger submitted a Notice of Intent (NOI) and applied for coverage under the General Waste Discharge Requirements for Cold Water Concentrated Aquatic Animal Production Facility Discharges (General Order R5-2010-0018-01, NPDES No. CAG135001). Based on information in the NOI, the discharge meets the required conditions for coverage under the General Order and a Notice of Applicability was issued by the Central Valley Water Board's Executive Officer. Consequently, Order R5-2008-0089 is no longer necessary and is rescinded. (ARM)
- h) WDRs Order No. 85-316 regulates discharge from the San Luis State Recreation Area. The California Department of Parks and Recreation applied for coverage under Water Quality Order No. 97-10-DWQ, and a Notice of Applicability authorizing coverage was issued on 5 January 2012. Discharges are now regulated by Order No. 97-10-DWQ. WDRs Order No. 85-316 should be rescinded. (WDH)
- i) The Sierra Pacific Industries (Discharger) owns and operates the Camino Lumber Mill site (Facility), which is regulated by Waste Discharge Requirements Order R5-2005-0008 (NPDES No. CA0078841) to discharge collected stormwater and industrial wastewater to an unnamed tributary to North Canyon Creek, a tributary to the South Fork of the American River. In 2009, the Discharger ceased sawmill operations and began to dismantle the Facility. By a letter dated 9 March 2012, the Discharger informed the Central Valley Water Quality Control Board (Central Valley Water Board) that the Camino Lumber Mill is closed and approximately three-quarters dismantled. The Discharger proposes to submit a pond closure work plan to the Central Valley Water Board by May 2012 and physically close the ponds during the summer of 2012. Subsequently, the final pond closure report will be submitted within 30 days of pond closure, estimated to be on 1 October 2012. Therefore, the Facility no longer has a surface water

discharge. The Discharger requested the rescission of its NPDES Permit as it is no longer needed. (GP)

- j) WDRs Order No. 90-265 regulates discharge from the Tamarack Estates Wastewater Treatment Facility. Fresno County Service Area No.1 applied for coverage under Water Quality Order No. 97-10-DWQ, and a Notice of Applicability authorizing coverage was issued on 5 January 2012. Discharges are now regulated by Order No. 97-10-DWQ. WDRs Order No. 90-265 should be rescinded. (WDH)
- k) Waste Discharge Requirements (WDRs) Order No. R5-1985-0298 for Big Dipper Mine located in Placer County prescribes requirements for a gold mine operation. Tom C. and Betty J. Dyke, the McGeachin Deanza Gold Mining Company, and Tom C. Dyke Drilling and Blasting Company (hereafter "Discharger") reported in their annual reports that no mining had occurred on the property for almost 20 years. Recently, the Discharger was notified that their WDRs Order was outdated and must either be revised or rescinded. However, no written response to that notification was ever received from the Discharger. Furthermore, the Discharger when notified during the 30-day public notification period that their WDRs Order was to be rescinded at the 7-8 June 2012 Central Valley Water Board meeting has not contested the proposed action. Therefore, it is appropriate to rescind WDRs Order No. R5-1985-0298. (VJI)
- l) WDRs Order No. 89-140 regulates discharge from the Westside Harvesting Employee Housing Facility. DBA Westside Harvesting LLC applied for coverage under Water Quality Order No. 97-10-DWQ, and a Notice of Applicability authorizing coverage was issued on 13 February 2012. Discharges are now regulated by Order No. 97-10-DWQ. WDRs Order No. 89-140 should be rescinded. (WDH)
- m) WDRs Order 5-00-241, adopted on 27 October 2000, prescribes waste discharge requirements for discharge of wastewater from a package treatment plant to land at the Yosemite Junction property near the intersection of Highways 120 and 108 in Tuolumne County. The Discharger, Yosemite Junction Partners, has requested the WDRs be rescinded. The property has been unoccupied for several years. On 1 February 2012, Water Board staff inspected the facility and determined there were no threats to water quality. The WDRs are no longer necessary and should be rescinded. (HA)

IT IS HEREBY ORDERED that the above NPDES,WDR, and TIME SCHEDULE orders are rescinded.

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 June 8, 2012.

PAMELA C. CREEDON, Executive Officer