

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401**

RESOLUTION NO. R3-2008-0014

**MODIFICATION TO THE FLOWRATE PROHIBITION,
WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2004-0099,
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT NO. CA0049964,
SOUTH COUNTY REGIONAL WASTEWATER AUTHORITY,
GILROY-MORGAN HILL MUNICIPAL WASTEWATER TREATMENT PLANT**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds that:

1. The South County Regional Wastewater Authority (the Discharger) operates the municipal wastewater collection, treatment, and disposal system owned by the Cities of Gilroy and Morgan Hill. The wastewater treatment plant (WWTP) is a Publicly Owned Treatment Works (POTW) at 1500 Southside Drive in Gilroy.
2. On September 10, 2004, the Central Coast Water Board adopted Waste Discharge Requirements (WDR) Order No. R3-2004-0099, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0049964. Order No. R3-2004-0099 regulates the discharge of secondary treated effluent from the WWTP to groundwater in the Llagas Creek Sub-basin and to the Pájaro River in the Pájaro River Hydrologic Unit.
3. Order No. R3-2004-0099 includes Prohibition A.1, which limits wastewater flow to the plant, as follows:

Flow type, mgd	Limit
Average Dry Weather Flow (ADWF)	7.5
Average Wet Weather Flow	9.0

4. The WWTP provides secondary treatment with two parallel treatment sequences, each comprising processes capable of reducing nitrogen in the discharge to low levels.
5. Review of the WWTP's design criteria concluded the plant could treat an ADWF of 8.5 mgd, an 1 mgd increase.
6. On October 27, 2006, the Discharger submitted the *2006 Capacity Re-rating Application* (Rerating Study), which describes a full-scale study of WWTP's treatment capabilities and includes a Report of Waste Discharge (ROWD). The study concludes that the existing WWTP can treat an ADWF through the plant of 8.5 mgd and continue to comply with all requirements of Order R3-2004-0099.
7. Clean Water Act §131.12 requires state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's

Item No. 15 Attachment No. 1
July 11, 2008 Meeting
Resolution No. R3-2008-0014 SCRWA
Modification to Flow Rate Prohibition

antidegradation policy in Resolution No. 68-16, which requires that existing quality of waters shall be maintained. The Central Coast Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. As discussed in the Staff Report, the increase in the discharge flowrate is consistent with the antidegradation provision of section 131.12 and State Water Board Resolution No. 68-16.

8. On September 24, 1990, the City of Gilroy certified the Final Environmental Impact Report, which addressed adverse effects of discharges from the WWTP up to 14.9 mgd.
9. On **April 23, 2008**, the Central Coast Water Board notified the Discharger and interested agencies and persons of its intent to adopt this Resolution.
10. On **July 11, 2008**, the Central Coast Water Board held a hearing to consider adoption of this Resolution and considered all comments received on this matter.

Pursuant to California Water Code Section 13320, any aggrieved party may seek review of this Resolution by filing a petition with the State Water Resources Control Board. A petition must be received by the State Water Resources Control Board, Office of Chief Counsel, 1001 I Street, 22nd Floor, Sacramento, California, 95812, within 30 days of adoption of this Resolution.

THEREFORE BE IT RESOLVED, that

Prohibition A.1 of Waste Discharge Requirements Order No. R3-2004-0099 (NPDES No. CA0049964) is hereby changed, as follows:

"Wastewater flows into the wastewater facility shall not exceed the limits of Table 12 – Influent Flow Limits.

Table 12 – Influent Flow Limits

Flow type	Limit, mgd
Average daily dry weather flow ^a	8.5
Average daily wet weather flow ^b	10.2

a.) Average daily flow of three driest months of each year.

b.) Average daily flow of three wettest months of each year."

I, Roger W. Briggs, Executive Officer of the Central Coast Water Board do hereby certify that the forgoing is full, true, and correct copy of Resolution No. R3-2008-0014 adopted by the Central Coast Water Board on July 11, 2008.

Date

ORDERED BY: _____
Roger W. Briggs
Executive Officer