

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2003-0152

REQUIRING THE SAN ANDREAS SANITARY DISTRICT
WASTEWATER TREATMENT PLANT
CALAVERAS COUNTY
TO CEASE AND DESIST
FROM DISCHARGING CONTRARY TO REQUIREMENTS

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

1. On 17 October 2003, the Regional Board adopted Waste Discharge Requirements (WDR's) Order No. R5-2003- 0151, prescribing waste discharge requirements for the San Andreas Sanitary District Wastewater Treatment Plant (WWTP) in Calaveras County (hereafter Discharger).
2. Waste Discharge Requirements (WDRs), Order No. R5-2003-0151 contains Effluent Limitation No. B.1. which reads, in part, as follows:

"B. Effluent Limitations:

1. *Secondary treated effluent discharged to San Andreas Creek shall not exceed the following limits:*

<u>Constituents</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Monthly Median</u>	<u>Daily Maximum</u>
<i>Bis(2-ethylhexyl) phthalate</i>	$\mu\text{g/L (ppb)}$ lbs/day^3	1.8 0.023	---	---	3.6 0.045
<i>Aluminum (Total)</i>	$\mu\text{g/L (ppb)}$ lbs/day^3	83 1.04	---	---	143 1.8
<i>Ammonia (Total)</i>	mg/L (ppm) lbs/day^3	⁹ 10	---	---	¹¹ 12
<i>Nitrate + Nitrite (as Nitrogen)</i>	mg/L (ppm) lbs/day^3	10 125	---	---	---
<i>Iron</i>	$\mu\text{g/L (ppb)}$ lbs/day^3	300 3.8	---	---	---
<i>Manganese</i>	$\mu\text{g/L (ppb)}$ lbs/day^3	50 0.63	---	---	---
<i>MBAS</i>	$\mu\text{g/L (ppb)}$ lbs/day^3	500 6.3	---	---	---
<i>Diazinon</i>	$\mu\text{g/L (ppb)}$ lbs/day^3	0.04 0.0005	---	---	0.08 0.001

⁹ Concentration limits identified in Attachment G.

¹⁰ Calculate limit based upon Attachment G, where $(x \text{ mg/L} \times 8.34 \times 1.5 \text{ mgd} = y \text{ lbs/day})$.

¹¹ Maximum one hour concentration limits identified in Attachment H.

¹² Calculate limit based upon Attachment H, where $(x \text{ mg/L} \times 8.34 \times 1.5 \text{ mgd} = y \text{ lbs/day})$.

3. Waste Discharge Requirements (WDRs), Order No. R5-2003-0151 contains Effluent Limitation No. B.3. which reads, in part, as follows:

“B. Effluent Limitations:

3. Effluent discharged to the Calaveras River shall not exceed the following limits:

<u>Constituents</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Monthly Median</u>	<u>Daily Maximum</u>
Aluminum (Total)	µg/L (ppb)	216	---	---	373
	lbs/day	2.7	---	---	4.7
Ammonia (Total)	mg/L (ppm)	---	---	---	⁹
	lbs/day	---	---	---	¹⁰

⁹ Maximum one hour concentration limits identified in Attachment H.

¹⁰ Calculate limit based upon Attachment H, where (x mg/L x 8.34 x 1.5 mgd = y lbs/day).

4. Constituent maximum concentrations in the Discharger’s WWTP effluent, and associated sample dates, are summarized below:

<u>Constituents</u>	<u>Date</u>	<u>Maximum Effluent Concentration (MEC)</u>
Bis(2-ethylhexyl) phthalate	5 Feb 02	3.6 µg/L
Aluminum (Total)	5 Feb 02	580 µg/L
Ammonia (Total)	29 Apr 02	16 mg/L
Nitrate + Nitrite (as Nitrogen)	5 Feb 02	17 mg/L
Iron	29 Apr 02	450 µg/L
Manganese	29 Apr 02	82 µg/L
MBAS (Methylene Blue Active Substances)	29 Apr 02	2,000 µg/L
Diazinon	5 Feb 02	1.6 µg/L

5. Based upon these Findings, and results of monitoring, the Discharger threatens to violate Effluent Limitations of WDR’s Order No. R5-2003-0151 for bis(2-ethylhexyl) phthalate, aluminum, ammonia, nitrate + nitrite, iron, manganese, MBAS, and diazinon.
6. In accordance with California Water Code (CWC) Section 13385(j)(3), the Regional Board finds that, based upon results of effluent monitoring, the Discharger is not able to consistently comply with the bis(2-ethylhexyl) phthalate, aluminum, ammonia, nitrates + nitrites, iron, manganese, MBAS, and diazinon effluent limitations. These limitations are new requirements that become applicable to the Permit after the effective date of adoption of the waste discharge requirements, and after July 1, 2000, for which new or modified control measures are necessary in order to

comply with the limitation, and the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.

Since the time schedule for completion of action necessary to achieve full compliance and bring the waste discharge into compliance exceeds one year, interim requirements and dates for their achievement are included in this Order. This time schedule does not exceed five years. Source control and/or treatment actions can be taken to correct the violations that would otherwise be subject to mandatory penalties under CWC Section 13385(h) and (i), and the Discharger can take reasonable measures to achieve compliance within five (5) years from the date the waste discharge requirements were required to be reviewed pursuant to CWC Section 13380.

CWC Section 13385(j)(3) requires the Discharger to prepare and implement a pollution prevention plan pursuant to CWC Section 13263.3. A pollution prevention plan addresses only those constituents that can be effectively reduced by source control measures.

Compliance with this Order exempts the Discharger from mandatory minimum penalties for violation of effluent bis(2-ethylhexyl) phthalate, aluminum, ammonia, nitrate + nitrite, iron, manganese, MBAS, and diazinon limitations only, in accordance with CWC Section 13385(j)(3).

7. On 17 October 2003, in Sacramento, California, after due notice to the Discharger and all other affected persons, the Board conducted a public hearing at which evidence was received to consider a Cease and Desist Order under California Water Code Section 13301 to establish a time schedule to achieve compliance with waste discharge requirements.
8. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), in accordance with California Water Code Section 15321 (a)(2), Title 14, of the California Code of Regulations.
9. Any person adversely affected by this action of the Board may petition the State Water Resources Control Board to review this action. The petition must be received by the State Water Resources Control Board, Office of the Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date on which this action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

IT IS HEREBY ORDERED THAT:

1. The San Andreas Sanitary District Wastewater Treatment Plant shall cease and desist from discharging and threatening to discharge contrary to WDR's Order No. R5-2003- 0151, Effluent Limitations B.1., and B.3. for bis(2-ethylhexyl) phthalate, aluminum, ammonia, nitrates + nitrites, iron, manganese, MBAS, and diazinon as described in the above Findings:
2. The San Andreas Sanitary District shall comply with the following time schedule to ensure compliance with the bis(2-ethylhexyl) phthalate, aluminum, ammonia, nitrate + nitrite, iron,

manganese, MBAS, and diazinon Effluent Limitations contained in WDR's Order No. R5-2003-0151 as described in the above Findings:

<u>Task</u>	<u>Compliance Date</u>
Compliance Workplan/Implementation Schedule	15 January 2004
Prepare and Submit Pollution Prevention Plan ¹	1 October 2004
Compliance Progress Reports ²	Semi-Annual Due 15 January and 15 July
Full Compliance	1 October 2008

¹ Plan shall be prepared for all constituents listed above and shall meet the requirements specified in CWC Section 13263.

² Reports shall detail steps implemented toward achieving compliance with WDR's limitations, including studies, construction progress, evaluation of measures implemented, and recommendations for additional measures as necessary to achieve full compliance by the final date.

3. If, in the opinion of the Executive Officer, the San Andreas Sanitary District fails to comply with the provisions of this Order, the Executive Officer may apply to the Attorney General for judicial enforcement.

I, THOMAS R. PINKOS, 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 17 October 2003.

THOMAS R. PINKOS, Executive Officer