CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2002-0162

NPDES NO. CA CA0079979

WASTE DISCHARGE REQUIREMENTS FOR WETSEL-OVIATT LUMBER COMPANY WETSEL-OVIATT LUMBER MILL EL DORADO COUNTY

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

1. The Wetsel-Oviatt Lumber Company (hereafter Discharger) submitted a Report of Waste Discharge, dated 15 September 1999, and applied for a permit renewal to discharge waste under the National Pollutant Discharge Elimination System (NPDES) from the Wetsel-Oviatt Lumber Mill, in El Dorado Hills.

2. The Discharger owns and operates a sawmill at 2000 Wetsel Oviatt Road. The site is located in Sections 25, 26, and 36, T9N, R8E, MDB&M, as shown on Attachment A, a part of this Order. Intermittent discharges of commingled process wastewater and storm water are discharged to an ephemeral drainage of Deer Creek, a water of the United States, and a tributary to the Cosumnes River at the point, latitude 38º 35' 54" (deg, min, sec) and longitude 121º 3' 20" (Outfall 001).

3. Tertiary treated reclaimed wastewater is supplied by El Dorado Irrigation District's domestic El Dorado Hills Wastewater Treatment Plant for log deck sprinkling, bark washing, and dust suppression. Reclaimed water use varies seasonally, from 0.04 mgd (million gallons per day) during the winter to 0.15 mgd during the summer. Runoff from the log deck area is collected in an interceptor ditch along the western side of the log deck area, and flows by gravity to Pond No.1 (Deck Pond). Process water collected in Pond No.1 is pumped back onto the log deck for reuse. When Pond No. 1 fills, excess process water flows into Pond No.2 (Mill Pond) along with storm water flows from the mill area. Overflow from Pond No.2 flows into Pond No.3 (Holding Pond). During rainfall events, storm water from the log deck commingles with the process water in Pond No.1, and flows to Pond No. 2 where in mixes with storm water from the mill area, which then in turn flows to Pond No.3. During significant rainfall events (i.e. 10 year, 24-hour magnitude storm event or greater), Pond No. 3 fills and intermittently discharges to surface waters at Outfall 001. The discharger is in the process of expanding Pond No.3 in order to contain all wastewater onsite. Technical analysis of the pond operation and expanded capacity has not been provided to the Board to show if the pond expansion can contain a 100-year, 365-day storm season.

4. The Report of Waste Discharge describes the discharge from wastewater pond No. 3, as lasting no more than one to three days per year, and as follows:

   Flow (million gallons/day (mgd)) is less than 0.24 mgd

Constituent	mg/l
BOD[1]	2.0
COD[2]	60.0
Dissolved oxygen (DO)	11.0
Specific Conductivity (EC) [µmhos/cm]	111
Total Suspended Solids (TSS)	8.0

[1] BOD – biochemical oxygen demand
[2] COD – chemical oxygen demand

5. The U.S. Environmental Protection Agency (U.S. EPA) and the Regional Board have classified this discharge as a minor discharge.

6. The Regional Board adopted a *Water Quality Control Plan, Fourth Edition, for the Sacramento and San Joaquin River Basins* (hereafter Basin Plan). The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve water quality objectives for all waters of the Basin. These requirements implement the Basin Plan.

7. Storm water is discharged from the site at two locations, along the ephemeral drainage to Deer Creek at points, latitude 38º 36' 09" and longitude 121º 3' 32" (SW1), and latitude 38º 35' 59" and longitude 121º 03' 25" (SW2). A third storm water discharge occurs from the northwest portion of the site into an unnamed ephemeral drainage to Carson Creek, which is also tributary to Deer Creek. This storm water discharge point is at longitude 38º 36' 20" and latitude 121º 02' 50" (SW3). Storm water discharges are regulated under separate Waste Discharge Requirements.

8. USEPA adopted the *National Toxics Rule* on 5 February 1993 and the *California Toxics Rule* on 18 May 2000. These Rules contain water quality standards applicable to this discharge. The State Water Resources Control Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (known as the State Implementation Plan) which contains guidance on implementation of the *National Toxics Rule* and the *California Toxics Rule.*

9. The Basin Plan at page II-2.00 states that: "Existing and potential beneficial uses which currently apply to surface waters of the basins are presented in Figure II-1 and Table II-1. The beneficial uses of any specifically identified water body generally apply to its tributary

streams." The beneficial uses of Deer Creek are not individually identified in the Basin Plan. Application of the tributary rule requires the beneficial uses of any specifically identified water body apply to its tributary streams. The Basin Plan does not identify any beneficial uses specifically for Deer Creek, but the Basin Plan does identify present and potential uses for the Cosumnes River, to which Deer Creek is tributary.

The Basin Plan identifies the following beneficial uses for the Cosumnes River: municipal and domestic supply; agricultural supply; water contact and noncontact recreation; warm and cold freshwater habitat, migration of aquatic organisms; spawning, reproduction, and/or early development of fish; esthetic enjoyment; groundwater recharge; freshwater replenishment; and preservation and enhancement of fish, wildlife and other aquatic resources. In addition, State Board Resolution 88-63, incorporated into the Basin Plan pursuant to Regional Board Resolution 89-056, requires the Regional Board to assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in Table II-1.

Upon review of the flow conditions, habitat values, and beneficial uses of the unnamed tributary to Deer Creek and Deer Creek, the Regional Board finds that the beneficial uses identified in the Basin Plan for the Cosumnes River are applicable to the unnamed tributary to Deer Creek and Deer Creek. The Basin Plan defines the beneficial uses and with respect to disposal of wastewaters states that "... disposal of wastewaters is [not] a prohibited use of waters of the State; it is merely a use which cannot be satisfied to the detriment of beneficial uses." The Regional Board finds that the beneficial uses identified in the Basin Plan for the Cosumnes River are applicable to the unnamed tributary to Deer Creek and Deer Creek based upon the following facts:

a. *Domestic Supply and Agricultural Supply*

The State Water Resources Control Board (SWRCB) has issued water rights to existing water users along Deer Creek and the Cosumnes River downstream of the discharge for domestic and irrigation uses. Since Deer Creek is an ephemeral stream, the creek likely provides groundwater recharge during periods of low flow. The groundwater is a source of drinking water. In addition to the existing water uses, growth in the area, downstream of the discharge is expected to continue, which presents a potential for increased domestic and agricultural uses of the water in Deer Creek.

b. *Water Contact and Noncontact Recreation and Esthetic Enjoyment*

The Regional Board finds that the discharge flows through rural residential areas and there is ready public access to Deer Creek. Exclusion of the public is unrealistic. Contact recreational activities currently exist along Deer Creek and downstream waters and these uses are likely to increase as the population in the area grows. Prior to discharge into the Cosumnes River, Deer Creek flows through areas of general public

access, meadows, residential areas and parks, to the Cosumnes River. The Cosumnes River also offers recreational opportunities.

c. *Groundwater Recharge*

In areas where groundwater elevations are below the stream bottom, water from the stream will percolate to groundwater. Since the unnamed tributary to Deer Creek and

Deer Creek are at times dry, it is reasonable to assume that the stream water is lost by evaporation, flow downstream and percolation to groundwater providing a source of municipal and irrigation water supply.

d. *Freshwater Replenishment*

When water is present in the unnamed tributary to Deer Creek and Deer Creek, there is hydraulic continuity between Deer Creek and the Cosumnes River. During periods of hydraulic continuity, the unnamed tributary to Deer Creek and Deer Creek adds to the water quantity and may impact the quality of water flowing down stream in the Cosumnes River.

e. *Preservation and Enhancement of Fish, Wildlife and Other Aquatic Resources.*

The unnamed tributary to Deer Creek and Deer Creek flow to the Cosumnes River. The California Department of Fish and Game (DFG) has verified that the fish species present in Deer Creek and downstream waters are consistent with both cold and warm water fisheries, that there is a potential for anadromous fish migration necessitating a cold water designation and that trout, a cold water species, have been found both upstream and downstream of the point where the facilities discharge reaches Deer Creek. The Basin Plan (Table II-1) designates the Cosumnes River as being both a cold and warm freshwater habitat. Therefore, pursuant to the Basin Plan (Table II-1, Footnote (2)), the cold designation applies to the unnamed tributary to Deer Creek and Deer Creek. The cold-water habitat designation necessitates that the in-stream dissolved oxygen concentration be maintained at, or above, 7.0 mg/l.

The beneficial uses of any specifically identified water body generally apply to its tributary streams. The Regional Board finds that, based on hydraulic continuity, aquatic life migration, existing and potential water rights, and the reasonable potential for contact recreational activities, that the beneficial uses of the Cosumnes River apply to the unnamed tributary to Deer Creek and Deer Creek. The Regional Board also finds that based on the available information and on the Discharger's application, that the unnamed tributary to Deer Creek and Deer Creek, absent the discharge, are ephemeral streams. The ephemeral nature of the unnamed tributary to Deer Creek and Deer Creek means that the designated beneficial uses must be protected, but

that no credit for receiving water dilution is available. Although the discharge, at times, maintains the aquatic habitat, constituents may not be discharged that may cause harm to aquatic life. At other times, natural flows within the unnamed tributary to Deer Creek and Deer Creek help support the cold-water aquatic life. Both conditions may exist within a short time span, where the Creek would be dry without the discharge and periods when sufficient background flows provide hydraulic continuity with the Cosumnes River. Dry conditions occur primarily in the summer months, but dry conditions may also occur throughout the year, particularly in low rainfall years. The lack of dilution results in more stringent effluent limitations to protect contact recreational uses, drinking water standards, agricultural water quality goals and aquatic life. Significant dilution may occur during and immediately following high rainfall events.

Beneficial uses that exist in Deer Creek and other downstream waters may not exist in the unnamed tributary. The effluent limitations imposed in this permit however, are necessary to protect the beneficial uses in Deer Creek because there will be no significant dilution or change in waste water quality in the 0.8 miles of unnamed tributary prior to the confluence with Deer Creek.

10. The Basin Plan states that "*Water Bodies within the basins that do not have beneficial uses designated in Table II-1 are assigned MUN designations in accordance with the provisions of State Water Board Resolution No. 88-63 which is, by reference, a part of this Basin Plan.*" State Water Resources Control Board Resolution No. 88-63 "Sources of Drinking Water" provides that "*All surface and ground waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Boards…*". The beneficial use of municipal and domestic supply is applicable to the unnamed tributary to Deer Creek and Deer Creek based on Resolution 88.63, the Basin Plan tributary rule, and actual uses.

11. Receiving Water Limitations are based upon water quality objectives contained in the Basin Plan; as such, they are a required part of this permit. The wastewater discharge from the Discharger's ponds enters an ephemeral drainage way prior to entering Deer Creek. This permit requires receiving water sampling points be established, upstream and downstream from where the discharge enters Deer Creek to assure compliance with the Receiving Water Limitations and protection of the water quality objectives. This permit also establishes Effluent Limitations for pH, and dissolved oxygen based on the Basin Plan's water quality objectives.

12. Federal regulations require effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause, or contribute to an in-stream excursion above a narrative or numerical water quality standard. This Order contains provisions that:

a. require the Discharger to conduct a study to provide information as to whether the levels of National Toxics Rule, California Toxics Rule or other pollutants in the discharge have the reasonable potential to cause or contribute to an in-stream excursion above a water quality standards, including Basin Plan numeric and narrative objectives, and NTR and CTR pollutants.

b. if the discharge has a reasonable potential to cause or contribute to an in-stream excursion above a water quality standard, require the Discharger to submit information to calculate effluent limitations for those constituents; and

c. allow the Regional Board to reopen this Order and include effluent limitations for those constituents.

On 10 September 2001 the Executive Officer issued a letter, in conformance with California Water Code, Section 13267, requiring the Discharger prepare a technical report assessing water quality. The study is intended to be consistent with the requirements of the technical report in requiring sampling for National Toxics Rule (NTR), California Toxics Rule (CTR) and additional constituents to determine the full water quality impacts of the discharge. The technical report requirements list specific constituents, detection levels, acceptable time frames and report requirements. This Order is intended to be consistent with the requirements of the technical report. The technical report requirements shall take precedence in resolving any conflicts.

13. The Basin Plan prohibits the discharge of toxic materials in toxic concentrations. The Discharger uses reclaimed water that utilizes chlorine for disinfection of the effluent waste stream. Chlorine can cause toxicity to aquatic organisms when discharged to surface waters. U.S. EPA recommends, in its Ambient Water Quality Criteria for the Protection of Fresh Water Aquatic Life, that chlorine concentrations not exceed 0.019 mg/*l* as a 1-hour average and 0.011 mg/*l* as a 4-day average. The use of chlorine as a disinfectant in the reclaimed water supply presents a reasonable potential that it could be discharged in toxic concentrations. A Receiving Water Limitation for chlorine has been included in this Order to protect the receiving stream aquatic life beneficial uses. The Receiving Water limitation has been established at non-detectable concentrations.

14. The reclaimed wastewater utilized on the site for log deck sprinkling, bark washing, and dust suppression is a wastewater and if discharged to surface waters, is required to meet the discharge criteria as described in Finding No. 6. Upon commingling of storm water with the reclaimed wastewater or process water, the combined waste stream is defined as wastewater.

15. Existing Waste Discharge Requirements, Order No. 95-217, contains Effluent Limitations for tannins and lignins of 30 mg/l (daily maximum) and oil and grease of 15 mg/l (daily maximum) and 10 mg/l (as a monthly average). Tannins and lignins are generated from wood products and

could cause discoloration or a pH shift of the effluent or receiving water, presenting a reasonable potential for causing exceedance of water quality standards for discoloration and pH. Oil and grease could be present from equipment maintenance and operations, thereby creating a reasonable potential for causing exceedance of water quality standards for floating material and possibly toxicity. These permit limitations are carried forth in this Order.

16. The Discharger's Report of Waste Discharge shows BOD concentrations of 2.0 mg/l and Total Suspended Solids (TSS) of 8.0 mg/l in the surface water discharge. Effluent Limitations of 10 mg/l, as a daily maximum, have been established for BOD and TSS. The BOD limitation is necessary to keep oxygen demanding substances from causing a dissolved oxygen sag in the receiving water below the Basin Plan objective of 7.0 mg/l. The TSS limitation is necessary to assure compliance with the Basin Plan water quality objectives for suspended material and turbidity.

17. The Discharger's Report of Waste Discharge describes the discharge as containing 60 mg/l of chemical oxygen demanding (COD) substances. The COD will utilize oxygen in the receiving stream. This Order contains a Receiving Water Limitation for dissolved oxygen of 7.0 mg/l based on protection of the cold-water aquatic life designation. The Discharger only discharges wastewater during periods of sustained wet weather. There is insufficient data to determine whether the COD levels in the discharge will cause a dissolved oxygen sag and violation of the Basin Plan water quality objective. This Order contains a Provision that requires the Discharger to prepare a technical report assessing the impacts of the high COD concentrations in the Discharge. The technical Report shall include an assessment of the source of COD in the discharge and the impacts on dissolved oxygen levels in the receiving water.

18. Wastewater generated from timber processing operations is regulated under the Code of Federal Regulations (CFR), Title 40, Part 429. The point source category guidelines apply (§ 429.10, Applicability) to "*any timber products processing operation, and any plant producing insulation board with wood as the major raw material, which discharges or may discharge process wastewater pollutants to waters of the United States, or which introduces or may introduce wastewater pollutants into a publicly owned treatment works"*. Effluent limitations for the following subcategories for timber product processing operations are applicable to this facility.

    a. *Subpart A – Barking Subcategory, § 429.21(a): The following limitations apply to all mechanical barking installations: There shall be no discharge of process wastewater pollutants into navigable waters.*

    b. *Subpart I – Wet Storage Subcategory, § 429.101: Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent reduction attainable by the application of the best practicable control technology currently available (BPT): There shall be no debris discharged and the pH*

shall be within the range of 6.0 to 9.0. Part § 429.11(i) defines debris as woody material such as bark, twigs, branches, heartwood or sapwood that will not pass through a one-inch diameter round opening and is present in the discharge from a wet storage facility.

c. Subpart K – Sawmill and Planning Subcategory, § 429.121: Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent reduction attainable by the application of the best practicable control technology currently available (BPT): There shall be no discharge of process wastewater pollutants into navigable waters.

d. Subpart L – Finishing Subcategory, § 429.131: Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent reduction attainable by the application of the best practicable control technology currently available (BPT): There shall be no discharge of process wastewater pollutants into navigable waters.

Review of the onsite drainage system shows that the process wastewater from the sawmill operation and wet storage area (log deck) is commingled in Pond No. 2. The reclaimed wastewater utilized on the site for log deck sprinkling, bark washing, and dust suppression is a wastewater and if discharged to surface waters, is required to meet the discharge criteria as described above and in Finding No. 6. Upon commingling of storm water with the reclaimed wastewater or process water, the combined waste stream is defined as wastewater. For this combined waste stream, the most stringent effluent limitation applies (§ 429.121): There shall be no discharge of process wastewater pollutants into navigable waters.

Effluent limits for timber processing operations at the facility include: mechanical bark removal (40 CFR § 429.21(a)), wet storage, saw milling, planning and finishing. 40 CFR § 429.100 contains effluent guidelines for wet log storage based on "best practicable control technology currently available." The effluent limitation states that there shall be no debris discharged and the pH shall be within the range of 6.0 to 9.0. CFR Part 429.11(i) defines debris as woody material such as bark, twigs, branches, heartwood or sapwood that will not pass through a one inch diameter round opening. CFR Parts 429.20, 429.124 and 429.134 contain a narrative effluent guideline for the sawmill operations, which state that there shall be no discharge of process wastewater pollutants into navigable waters.

19. The beneficial uses of the underlying ground water are municipal and domestic, industrial service, industrial process and agricultural supplys.

20. This Order contains a Groundwater Limitation that requires the discharge not degrade groundwater quality therefore the permitted discharge is consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Resources Control Board Resolution 68-16.

Compliance with these requirements will result in the use of best practicable treatment or control of the discharge. The impact on existing water quality will be insignificant.

21. The Discharger utilizes aeration and storage ponds for the treatment, storage, and disposal of wastewater. Pond Discharge Limitations have been included in this permit to assure that the pond system does not overflow or cause a nuisance. Nuisance conditions from pond systems are typically found when strong odors occur when the dissolved oxygen concentration is allowed to drop below 1.0 mg/l. This permit requires the dissolved oxygen concentration be maintained above 1.0 mg/l in the upper one-foot of water in the ponds. Ponds levees can fail for a variety of reasons--typically, a lack of maintenance or overtopping due to wave action. This permit requires a minimum pond freeboard be maintained to prevent overtopping.

22. Effluent limitations, and toxic and pretreatment effluent standards established pursuant to Sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 304 (Information and Guidelines), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act (CWA) and amendments thereto are applicable to the discharge.

23. The discharge is presently governed by Waste Discharge Requirements Order No. 95-217, adopted by the Regional Board on 22 September 1995.

24. The action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.), requiring preparation of an environmental impact report or negative declaration in accordance with Section 13389 of the California Water Code.

25. The Regional Board has considered the information in the attached Information Sheet in developing the Findings of this Order. The attached Information Sheet is part of this Order.

26. The Regional Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.

27. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

28. This Order shall serve as an NPDES permit pursuant to Section 402 of the CWA, and amendments thereto, and shall take effect upon the date of hearing, provided EPA has no objections.

29. Section 13267 of the California Water Code states, in part, *"(a) A regional board, in establishing…waste discharge requirements… may investigate the quality of any waters of the*

state within its region" and *"(b) (1) In conducting an investigation…, the regional board may require that any person who… discharges… waste…that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires.*" This Order requires the Discharger to prepare technical and monitoring reports as authorized by California Water Code Section 13267. This Order requires the Discharger to monitor in compliance with the attached Monitoring and Reporting Program No. R5-2002-0162. The monitoring reports are necessary to evaluate impacts to waters of the state to assure protection of beneficial uses, to assure compliance with State and Regional Board plans and policies, including Resolution 68-16, and to assure compliance with this Order. The Wetsel-Oviatt Lumber Company discharges the waste that is regulated by this Order.

IT IS HEREBY ORDERED that Order No. 95-217 is rescinded and the Wetsel-Oviatt Lumber Company, 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 following:

A. Discharge Prohibitions:

1. Discharge of wastewater at a location or in a manner different from that described in the Findings is prohibited.

2. Wastewater discharges shall not enter Carson Creek or drainage ways which are tributary to Carson Creek.

3. Wastewater may only be discharged to surface waters during periods of sustained wet weather. Land disposal of wastewater shall be maximized.

4. The by-pass or overflow of wastes to surface waters is prohibited, except as allowed by Standard Provision A.13. [See attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements (NPDES)"].

5. Neither the discharge nor its treatment shall create a nuisance as defined in Section 13050 of the California Water Code.

6. The discharge of bark, sawdust, or other floating material to surface waters, or surface water drainage courses, is prohibited.

7. There shall be no discharge of process wastewater pollutants from the sawmill or barking operations into navigable waters.

B. Effluent Limitations:

1. Effluent shall not exceed the following limits:

Constituents	Units	Monthly Average	Daily Maximum
Tannins and lignins	mg/l		30
Oil and Grease	mg/l	10	15
BOD[1]	mg/l		10
Total Suspended Solids	mg/l		10
Dissolved Oxygen[2]	mg/l		7.0

[1] 5-day, 20°C biochemical oxygen demand (BOD)
[2] The dissolved oxygen limit is a daily minimum. The DO must be greater than 7.0 mg/l.

2. The discharge shall not have a pH less than 6.5 nor greater than 8.5.

3. Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:

Minimum for any one bioassay - - - - - - - - - 70%
Median for any three or more consecutive bioassays - - - - 90%

C. Discharge Specifications (Land Disposal):

1. Objectionable odors originating at this facility shall not be perceivable beyond the limits of the wastewater treatment, disposal or reclaimed water storage areas.

2. As a means of discerning compliance with Discharge Specification No.1, the dissolved oxygen content in the upper zone (one foot) of wastewater in ponds shall not be less than 1.0 mg/l.

3. Ponds shall not have a pH less than 6.5 or greater than 8.5.

4. Ponds shall be managed to prevent breeding of mosquitoes. In particular,
   a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.

   b. Weeds shall be minimized.

   c. Dead algae, vegetation, and debris shall not accumulate on the water surface.

5. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.

6. Ponds shall have sufficient capacity to accommodate allowable wastewater flow and design seasonal precipitation and ancillary inflow and infiltration during the nonirrigation season. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns. Freeboard shall never be less than two feet (measured vertically to the lowest point of overflow).

7. On or about **1 October** of each year, available pond storage capacity shall at least equal the volume necessary to comply with Discharge Specification 6.

D. Solids Disposal:

1. Collected screenings and other solids removed from liquid wastes shall be disposed of in a manner approved by the Executive Officer, and consistent with *Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste,* as set forth in Title 27, CCR, Division 2, Subdivision 1, Section 20005, et seq.

E. Receiving Water Limitations:

Receiving Water Limitations are based upon water quality objectives contained in the Basin Plan. As such, they are a required part of this permit.

The discharge shall not cause the following in the receiving water:

1. Concentrations of dissolved oxygen to fall below 7.0 mg/l. The monthly median of the mean daily dissolved oxygen concentration shall not fall below 85 percent of saturation in the main water mass, and the 95^{th} percentile concentration shall not fall below 75 percent of saturation.

2. Oils, greases, waxes, or other materials to form a visible film or coating on the water surface or on the stream bottom.

3. Oils, greases, waxes, floating material (liquids, solids, foams, and scums) or suspended material to create a nuisance or adversely affect beneficial uses.

4. Chlorine to be detected in the receiving water. (The current minimum detection level is equal to or less than 0.01 mg/l).

5. Esthetically undesirable discoloration.

6. Fungi, slimes, or other objectionable growths.

7. The turbidity to increase as follows:

    a. More than 1 Nephelometric Turbidity Units (NTUs) where natural turbidity is between 0 and 5 NTUs.

    b. More than 20 percent where natural turbidity is between 5 and 50 NTUs.

    c. More than 10 NTUs where natural turbidity is between 50 and 100 NTUs.

    d. More than 10 percent where natural turbidity is greater than 100 NTUs.

8. The ambient pH to fall below 6.5, exceed 8.5, or change by more than 0.5 units.

9. The ambient temperature to increase more than 5°F.

10. Deposition of material that causes nuisance or adversely affects beneficial uses.

11. Aquatic communities and populations, including vertebrate, invertebrate, and plant species, to be degraded.

12. Toxic pollutants to be present in the water column, sediments, or biota in concentrations that adversely affect beneficial uses; that produce detrimental response in human, plant, animal, or aquatic life; or that bioaccumulate in aquatic resources at levels which are harmful to human health.

13. Violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board pursuant to the CWA and regulations adopted thereunder.

14. Taste or odor-producing substances to impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin or to cause nuisance or adversely affect beneficial uses.

F. Groundwater Limitation:

1. The discharge shall not cause the groundwater quality to be degraded.

G. Provisions:

1. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.

2. There are indications that the discharge may contain constituents that have a reasonable potential to cause or contribute to an exceedance of water quality objectives. The constituents are specifically listed in a technical report requirement issued by the Executive Officer on 10 September 2001 and include NTR, CTR and additional constituents, which could exceed Basin Plan numeric or narrative water quality objectives. The Discharger shall comply with the following time schedule in conducting a study of these constituents potential effect in surface waters:

Task	Compliance Date
Submit Study Report	**1 March 2003**
Submit Study Report for dioxins	**1 March 2004**

This Order is intended to be consistent with the requirements of the 10 September 2001 technical report. The technical report requirements shall take precedence in resolving any conflicts. The Discharger shall submit to the Regional Board on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Board by letter when it returns to compliance with the time schedule.

If after review of the study results it is determined that the discharge has reasonable potential to cause or contribute to an exceedance of a water quality objective this Order may be reopened and effluent limitations added for the subject constituents.

3. There are indications that the discharge may contain COD in concentrations that have a reasonable potential to cause or contribute to an exceedance of water quality objective. The Discharger shall comply with the following time schedule in conducting a study of COD potential effect in surface waters:

Task	Compliance Date
Submit Workplan and Time Schedule	**1 March 2003**
Begin Study	**1 May 2003**
Complete Study	**1 October 2003**
Submit Study Report	**1 November 2003**

The Discharger shall submit to the Regional Board on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Board by letter when it returns to compliance with the time schedule.

If after review of the study results it is determined that the discharge has reasonable potential to cause or contribute to an exceedance of a water quality objective this Order may be reopened and effluent limitations added for the subject constituents.

4. Hydrogeologic Evaluation and Groundwater Monitoring Tasks. **Within 18-months of the adoption of this Order**, the Discharger shall complete a hydrogeologic investigation within the area affected and potentially affected by the wastewater facility and its discharge to land.

The technical report documenting the hydrogeologic investigation shall describe the underlying geology, existing wells (active and otherwise), local well construction practices and standards, well restrictions, hydrogeology and assess all impacts of the wastewater discharge on water quality. The groundwater quality must be monitored at least quarterly for a minimum of four quarters for nutrients, coliform organisms, pH, TDS and EC and once for U.S. EPA priority pollutants. The technical report must present, for each monitoring event, determinations for the direction and gradient of groundwater flow.

The groundwater monitoring network shall include one or more background monitoring wells and sufficient number of designated monitoring wells to evaluate performance of BPTC measures and determine if the discharge has degraded groundwater. These include monitoring wells immediately downgradient of every treatment, storage, and disposal unit that does or may release waste constituents to groundwater. All wells shall comply with appropriate standards as described in *California Well Standards Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 94-81* (December 1981), and any more stringent standards adopted by the Discharger or county pursuant to CWC section 13801.

Any existing well network will be evaluated, and the proposed network should include existing monitoring wells where they will serve to measure compliance or provide other relevant information (e.g., depth to groundwater). The Discharger shall install approved monitoring wells, properly destroy ineffective wells, and commence groundwater monitoring in accordance with this Order's Monitoring and Reporting Program. After the first sampling event, the Discharger shall report on its sampling protocol as specified in this Order's Monitoring and Reporting Program (MRP).

After one year of monitoring, the Discharger shall characterize natural background quality of monitored constituents in a technical report. If the monitoring shows that any constituent concentrations are increased above background water quality, the Discharger shall submit a technical report describing the evaluation's results and critiquing each evaluated component with respect to BPTC and minimizing the discharge's impact on groundwater quality. In no case, shall the discharge be allowed to exceed a water quality objective. Where treatment system deficiencies are documented, the technical report shall provide recommendations for necessary modifications (e.g., new or revised salinity source control measures, treatment

component upgrade and retrofit) to achieve BPTC and proposed schedule for modifications for achieving full compliance prior to expiration of this Order. This Order may be reopened and additional groundwater limitations added.

5. The Discharger shall conduct the chronic toxicity testing specified in the Monitoring and Reporting Program. If the testing indicates that the discharge causes, has the reasonable potential to cause, or contributes to an in-stream excursion above the water quality objective for toxicity, the Discharger initiate a Toxicity Identification Evaluation (TIE) to identify the causes of toxicity. Upon completion of the TIE, the Discharger shall submit a workplan to conduct a Toxicity Reduction Evaluation (TRE) and, after Regional Board evaluation, conduct the TRE. This Order may be reopened and a chronic toxicity limitation included and/or a limitation for the specific toxicant identified in the TRE included. Additionally, if a chronic toxicity water quality objective is adopted by the State Water Resources Control Board, this Order may be reopened and a limitation based on that objective included.

6. The Discharger shall comply with all the items of the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements (NPDES)", dated 1 March 1991, which are part of this Order. This attachment and its individual paragraphs are referred to as "Standard Provisions."

7. The Discharger shall comply with Monitoring and Reporting Program No.R5-2002-0162, which is part of this Order, and any revisions thereto as ordered by the Executive Officer.

   When requested by U.S. EPA, the Discharger shall complete and submit Discharge Monitoring Reports. The submittal date shall be no later than the submittal date specified in the Monitoring and Reporting Program for Discharger Self Monitoring Reports.

8. This Order expires on **1 September 2007** and the Discharger must file a Report of Waste Discharge in accordance with Title 23, CCR, not later than 180 days in advance of such date in application for renewal of waste discharge requirements if it wishes to continue the discharge.

9. Prior to making any change in the discharge point, place of use, or purpose of use of the wastewater, the Discharger shall obtain approval of, or clearance from the State Water Resources Control Board (Division of Water Rights).

10. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to this office.

To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the State of incorporation if a corporation, address and telephone number of the persons responsible for contact with the Regional Board and a statement. The statement shall comply with the signatory paragraph of Standard Provision D.6 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. Transfer shall be approved or disapproved in writing by the Executive Officer.

I, THOMAS R. PINKOS, Acting 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 6 September 2002.

Ordered by: _____
THOMAS R. PINKOS, Acting Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. R5-2002-0162

NPDES NO. CA0079979

FOR
WETSEL-OVIATT LUMBER COMPANY
WETSEL-OVIATT LUMBER MILL
EL DORADO COUNTY

This Monitoring and Reporting Program is issued pursuant to Water Code Section 13267. The Discharger shall not implement any changes to this Program unless and until the Regional Board or Executive Officer issues a revised Monitoring and Reporting Program. Specific sample station locations shall be established under direction of the Regional Board's staff, and a description of the stations shall be attached to this Order.

INFLUENT MONITORING

Samples shall be collected of the reclaimed water received from the El Dorado Irrigation District. Influent monitoring of the reclaimed water shall include at least the following:

Constituents	Units	Type of Sample	Sampling Frequency
Specific Conductivity (EC)	µmhos/cm	Grab	Weekly
Flow	mgd	Meter	Continuous

EFFLUENT MONITORING

Effluent samples shall be collected downstream from the last connection through which wastes can be admitted into the when discharging to surface waters. Effluent samples should be representative of the volume and quality of the discharge. Samples collected from the outlet structure of the ponds will be considered adequately composited. Time of collection of samples shall be recorded. Effluent monitoring shall include at least the following:

Constituents	Units	Type of Sample	Sampling Frequency
20°C BOD_5	mg/l, lbs/day	Grab	Daily
Suspended Solids	mg/l, lbs/day	Grab	Daily
COD	mg/l, lbs/day	Grab	Daily

Constituents	Units	Type of Sample	Sampling Frequency
Specific Conductivity	µmhos/cm	Grab	Daily
Tannins and Lignins	mg/l, lbs/day	Grab	Daily
Oil and Grease	mg/l, lbs/day	Grab	Daily
pH	Number	Grab	Daily
Acute Toxicity[1]	% Survival	Grab	Annually
Chlorine Residual	mg/l	Grab	Daily
Flow	mgd	Meter	Continuous
Temperature	°F	Grab	Daily
Priority Pollutants	mg/l	Grab	Annually

[1] The acute bioassays samples shall be analyzed using EPA/600/4-90/027F, Fourth Edition, or later amendment with Regional Board staff approval. Temperature and pH shall be recorded at the time of bioassay sample collection. Test species shall be fathead minnows (Pimephales promelas), with no pH adjustment unless approved by the Executive Officer.

If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the Discharger shall monitor and record data for all of the constituents listed above, after which the frequencies of analysis given in the schedule shall apply for the duration of each such intermittent discharge. In no event shall the Discharger be required to monitor and record data more often than twice the frequencies listed in the schedule.

RECEIVING WATER MONITORING

All receiving water samples shall be grab samples. Receiving water monitoring collected when discharging to surface water, upstream and downstream of the point of discharge in Deer Creek, shall include at least the following:

Station	Description
R-l	50 feet upstream from the point of discharge
R-2	150 feet downstream from the point of discharge

Constituents	Units	Station	Sampling Frequency
Dissolved Oxygen	mg/l	R-l, R-2	Daily
pH	Number	R-l, R-2	Daily

Constituents	Units	Station	Sampling Frequency
Turbidity	NTU	R-l, R-2	Daily
Temperature	°F (°C)	R-l, R-2	Daily
Electrical Conductivity @25°C	µmhos/cm	R-1, R-2	Daily
Chlorine Residual	mg/l	R-1, R-2	Daily

In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by Stations R-l and R-2. Attention shall be given to the presence or absence of:

a. Floating or suspended matter
b. Discoloration
c. Bottom deposits
d. Aquatic life
e. Visible films, sheens or coatings
f. Fungi, slimes, or objectionable growths
g. Potential nuisance conditions

Notes on receiving water conditions shall be summarized in the monitoring report.

THREE SPECIES CHRONIC TOXICITY MONITORING

Chronic toxicity monitoring shall be conducted to determine whether the effluent is contributing toxicity to the receiving water. The testing shall be conducted as specified in EPA 600/4-91/002. Chronic toxicity samples shall be collected at the discharge of the pond discharge prior to its entering Deer Creek. Grab samples shall be representative of the volume and quality of the discharge. Time of collection samples shall be recorded. Dilution and control waters shall be obtained immediately upstream of the discharge from an area unaffected by the discharge in the receiving waters. Standard dilution water can be used if the receiving water source exhibits toxicity and is approved by the Executive Officer. The sensitivity of the test organisms to a reference toxicant shall be determined concurrently with each bioassay and reported with the test results. Both the reference toxicant and effluent test must meet all test acceptability criteria as specified in the chronic manual. If the test acceptability criteria are not achieved, then the Discharger must re-sample and re-test within 14 days. Chronic toxicity monitoring shall include the following:

Species: *Pimephales promelas, Ceriodaphnia dubia, and Selenastrum capricornutum*

Frequency: *Once per year*

Dilution Series: *None*

SOLIDS MONITORING

A composite sample of solid material removed from the ponds or liquid wastes shall be collected prior to disposal and tested for CCR, Title 22 metals. Sampling records shall be retained for a minimum of five years. A log shall be kept of solids quantities generated and of handling and disposal activities. The frequency of entries is discretionary; however, the log should be complete enough to serve as a basis for part of an annual report.

POND MONITORING

Treatment and disposal pond monitoring shall be conducted in each pond in which water is present and shall, at a minimum, consist of the following:

Constituents	Units	Sampling Frequency
Freeboard	Feet	Weekly
pH	Number	Weekly
Electrical Conductivity @25°C	µmhos/cm	Weekly
Dissolved Oxygen	mg/l	Weekly
Odors	--	Daily

GROUNDWATER MONITORING

Prior to construction, plans and specifications for ground water monitoring wells shall be submitted to Regional Board staff for review and approval. Wells shall comply with requirements of the Department of Water Resources. Groundwater grab samples shall be collected from all groundwater monitoring wells when treatment and/or storage ponds contain wastewater. Prior to sampling, the wells should be pumped until the temperature, specific conductivity, and pH have stabilized to ensure representative samples. Groundwater monitoring shall include at least the following:

> Prior to sampling, groundwater elevations must be measured to the nearest one-hundredth of a foot. The groundwater quality must be monitored at least quarterly for nitrates (N), pH, TDS, and EC. At least one sample must be analyzed for U.S.EPA priority pollutants. Groundwater monitoring results for the constituents above shall be submitted quarterly; the quarterly report shall include a site map showing the location and surveyed elevation (to nearest one-hundredth of foot above mean sea level) of the wells and the current direction of groundwater flow.

A groundwater report shall be submitted annually; the report shall contain a brief written description of any groundwater investigation and sampling work completed for the year, a site map showing the location of all monitoring wells, and tables showing all groundwater monitoring data collected during the previous calendar year, including groundwater depth and elevation data, pH, EC, and all other monitored constituents.

REPORTING

Monitoring results shall be submitted to the Regional Board by the **first day** of the second month following sample collection. Quarterly and annual monitoring results shall be submitted by the **first day of the second month following each calendar quarter, semi-annual period, and year**, respectively.

In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the discharge complies with waste discharge requirements. The highest daily maximum for the month, monthly and weekly averages, and medians, and removal efficiencies (%) for BOD and Suspended Solids, should be determined and recorded.

If the Discharger monitors any pollutant at the locations designated herein more frequently than is required by this Order, the results of such monitoring shall be included in the calculation and reporting of the values required in the discharge monitoring report form. Such increased frequency shall be indicated on the discharge monitoring report form.

By **30 January** of each year, the Discharger shall submit a written report to the Executive Officer containing the following:

a. The names and telephone numbers of persons to contact regarding the plant for emergency and routine situations.

b. A statement certifying when the flow meter and other monitoring instruments and devices were last calibrated, including identification of who performed the calibration (Standard Provision C.6).

The Discharger may also be requested to submit an annual report to the Regional Board with both tabular and graphical summaries of the monitoring data obtained during the previous year. Any such request shall be made in writing. The report shall discuss the compliance record. If violations have occurred, the report shall also discuss the corrective actions taken and planned to bring the discharge into full compliance with the waste discharge requirements.

All reports submitted in response to this Order shall comply with the signatory requirements of Standard Provision D.6.

The Discharger shall implement the above monitoring program on the first day of the month following effective date of this Order.

Ordered by: _____
THOMAS R. PINKOS, Acting Executive Officer

_____6 September 2002_____
(Date)

INFORMATION SHEET

WETSEL-OVIATT LUMBER COMPANY
WETSEL-OVIATT LUMBER MILL
EL DORADO COUNTY

The Wetsel-Oviatt Lumber Company owns and operates a sawmill that has intermittent discharges of commingled process wastewater and storm water to an ephemeral drainage of Deer Creek. Tertiary treated reclaimed wastewater is supplied to the sawmill by El Dorado Irrigation District's domestic El Dorado Hills Wastewater Treatment Plant for log deck sprinkling, bark washing, and dust suppression. Reclaimed water use varies seasonally, from 0.04 mgd (million gallons per day) during the winter to 0.15 mgd during the summer. Runoff from the log deck area is collected in an interceptor ditch along the western side of the log deck area, and flows by gravity to Pond No.1 (Deck Pond). Process water collected in Pond No.1 is pumped back onto the log deck for reuse. When Pond No. 1 fills, excess process water flows into Pond No. 2 (Mill Pond) along with storm water flows from the mill area. Overflow from Pond No. 2 flows into Pond No. 3 (Holding Pond). During rainfall events, storm water from the log deck commingles with the process water in Pond No.1, and flows to Pond No. 2 where in mixes with storm water from the mill area, which then in turn flows to Pond No. 3. During significant rainfall events (i.e. 10 year, 24-hour magnitude storm event or greater), Pond No. 3 fills and intermittently discharges to surface waters at Outfall 001.

The Report of Waste Discharge describes the discharge from wastewater pond No. 3, as lasting no more than one to three days per year, and as having a flow of less than 0.24 (million gallons/day (mgd)) and as follows:

Constituent	mg/l
BOD[1]	2.0
COD[2]	60.0
Dissolved oxygen (DO)	11.0
Specific Conductivity (EC) [µmhos/cm]	111
Total Suspended Solids (TSS)	8.0

[1] BOD – biochemical oxygen demand
[2] COD – chemical oxygen demand

Storm water is discharged from the sawmill site at two locations, along the ephemeral drainage to Deer Creek. A third storm water discharge occurs from the northwest portion of the site into an unnamed ephemeral drainage to Carson Creek, which is also tributary to Deer Creek. Storm water discharges are regulated under separate Waste Discharge Requirements.

The Basin Plan at page II-2.00 states that: "Existing and potential beneficial uses which currently apply to surface waters of the basins are presented in Figure II-1 and Table II-1. The beneficial uses of any specifically identified water body generally apply to its tributary streams." The beneficial uses of Deer Creek are not individually identified in the Basin Plan, however application of the tributary rule requires the beneficial uses of any specifically identified water body apply to its tributary streams. The Basin Plan does not identify any beneficial uses specifically for Deer Creek, but the Basin Plan does identify present and potential uses for the Cosumnes River, to which Deer Creek is tributary. The Basin Plan identifies the following beneficial uses for the Cosumnes River: municipal and domestic supply; agricultural supply; water contact and noncontact recreation; warm and cold freshwater habitat, migration of aquatic organisms; spawning, reproduction, and/or early development of fish; esthetic enjoyment; groundwater recharge; freshwater replenishment; and preservation and enhancement of fish, wildlife and other aquatic resources. In addition, State Board Resolution 88-63, incorporated into the Basin Plan pursuant to Regional Board Resolution 89-056, requires the Regional Board to assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in Table II-1. Upon review of the flow conditions, habitat values, and beneficial uses of the unnamed tributary to Deer Creek and Deer Creek, the Regional Board finds that the beneficial uses identified in the Basin Plan for the Cosumnes River are applicable to the unnamed tributary to Deer Creek and Deer Creek. The Basin Plan defines the beneficial uses and with respect to disposal of wastewaters states that "... disposal of wastewaters is [not] a prohibited use of waters of the State; it is merely a use which cannot be satisfied to the detriment of beneficial uses." The Beneficial Uses identified in the Basin Plan for the Cosumnes River are applicable to the unnamed tributary to Deer Creek and Deer Creek, based on site specific factors detailed in the permit.

The unnamed tributary to Deer Creek and Deer Creek flow to the Cosumnes River. The California Department of Fish and Game (DFG) has verified that the fish species present in Deer Creek and downstream waters are consistent with both cold and warm water fisheries, that there is a potential for anadromous fish migration necessitating a cold water designation and that trout, a cold water species, have been found both upstream and downstream of the point where the facilities discharge reaches Deer Creek. The Basin Plan (Table II-1) designates the Cosumnes River as being both a cold and warm freshwater habitat. Therefore, pursuant to the Basin Plan (Table II-1, Footnote (2)), the cold designation applies to the unnamed tributary to Deer Creek and Deer Creek. The cold-water habitat designation necessitates that the in-stream dissolved oxygen concentration be maintained at, or above, 7.0 mg/l. This approach recognizes that, if the naturally occurring in-stream dissolved oxygen concentration is below 7.0 mg/l, the Discharger is not required to improve the naturally occurring level.

The beneficial uses of any specifically identified water body generally apply to its tributary streams. Based on hydraulic continuity, aquatic life migration, existing and potential water rights, and the reasonable potential for contact recreational activities, the beneficial uses of the Cosumnes River apply to the unnamed tributary to Deer Creek and Deer Creek. Based on the available information, and on the Discharger's application, the unnamed tributary to Deer Creek and Deer Creek, absent the discharge, is an ephemeral stream. The ephemeral nature of the unnamed tributary to Deer Creek and

Deer Creek means that the designated beneficial uses must be protected, but that no credit for receiving water dilution is available. Although the discharge, at times, maintains the aquatic habitat, constituents may not be discharged that may cause harm to aquatic life. At other times, natural flows within the unnamed tributary to Deer Creek and Deer Creek help support the cold-water aquatic life. Both conditions may exist within a short time span, where the Creek would be dry without the discharge and periods when sufficient background flows provide hydraulic continuity with the Cosumnes River. Dry conditions occur primarily in the summer months, but dry conditions may also occur throughout the year, particularly in low rainfall years. The lack of dilution results in more stringent effluent limitations to protect contact recreational uses, drinking water standards, agricultural water quality goals and aquatic life. Significant dilution may occur during and immediately following high rainfall events.

The Basin Plan states that "*Water Bodies within the basins that do not have beneficial uses designated in Table II-1 are assigned MUN designations in accordance with the provisions of State Water Board Resolution No. 88-63 which is, by reference, a part of this Basin Plan.*" State Water Resources Control Board Resolution No. 88-63 "Sources of Drinking Water" provides that "*All surface and ground waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Boards…*". The beneficial use of municipal and domestic supply is applicable to the unnamed tributary to Deer Creek and Deer Creek based on Resolution 88-63, the Basin Plan tributary rule, and actual uses.

Receiving Water Limitations are based upon water quality objectives contained in the Basin Plan, as such, they are a required part of this permit. The wastewater discharge from the Discharger's ponds enters an ephemeral drainage way prior to entering Deer Creek. This permit requires receiving water sampling points be established, upstream and downstream from where the discharge enters Deer Creek to assure compliance with the Receiving Water Limitations and protection of the water quality objectives. This permit also establishes Effluent Limitations for pH, and dissolved oxygen based on protection of the Basin Plan's water quality objectives.

The Basin Plan prohibits the discharge of toxic materials in toxic concentrations. The Discharger uses reclaimed water that utilizes chlorine for disinfection of the effluent waste stream. Chlorine can cause toxicity to aquatic organisms when discharged to surface waters. U.S. EPA recommends, in its Ambient Water Quality Criteria for the Protection of Fresh Water Aquatic Life, that chlorine concentrations not exceed 0.019 mg/l as a 1-hour average and 0.011 mg/l as a 4-day average. The use of chlorine as a disinfectant in the reclaimed water supply presents a reasonable potential that it could be discharged in toxic concentrations. A Receiving Water Limitation for chlorine has been included in this Order to protect the receiving stream aquatic life beneficial uses. The Receiving Water limitation has been established at non-detectable concentrations.

The reclaimed wastewater utilized on the site for log deck sprinkling, bark washing, and dust suppression is a wastewater and if discharged to surface waters, is required to meet the discharge

criteria as described in Finding No. 6. Upon commingling of storm water with the reclaimed wastewater or process water, the combined waste stream is defined as wastewater.

Existing Waste Discharge Requirements, Order No. 95-217, contains Effluent Limitations for tannins and lignins of 30 mg/l and oil and grease of 15 mg/l (daily maximum) and 10 mg/l (as a monthly average). Tannins and lignins are generated from wood products and could cause discoloration or a pH shift of the effluent or receiving water, presenting a reasonable potential for causing exceedance of water quality standards for discoloration and pH. Oil and grease could be present from equipment maintenance and operations, thereby creating reasonable potential for causing exceedance of water quality standards for floating material and possibly toxicity. These permit limitations are carried forth in the permit.

The Discharger's Report of Waste Discharge shows BOD concentrations of 2.0 mg/l and Total Suspended Solids (TSS) of 8.0 mg/l in the surface water discharge. Effluent Limitations of 10 mg/l, as a daily maximum, have been established for BOD and TSS. The BOD limitation is necessary to keep oxygen demanding substances from causing a dissolved oxygen sag in the receiving water below the Basin Plan objective of 7.0 mg/l. The TSS limitation is necessary to assure compliance with the Basin Plan water quality objectives for suspended material and turbidity.

The Discharger's Report of Waste Discharge describes the discharge as containing 60 mg/l of chemical oxygen demanding (COD) substances. The COD will utilize oxygen in the receiving stream. This Order contains a Receiving Water Limitation for dissolved oxygen of 7.0 mg/l based on protection of the cold-water aquatic life designation. The Discharger only discharges wastewater during periods of sustained wet weather. There is insufficient data to determine whether the COD levels in the discharge will cause a dissolved oxygen sag and violation of the Basin Plan water quality objective. This Order contains a Provision that requires the Discharger to prepare a technical report assessing the impacts of the high COD concentrations in the Discharge. The technical report shall include an assessment of the source of COD in the discharge and the impacts on dissolved oxygen levels in the receiving water.

Wastewater generated from timber processing operations is regulated under the Code of Federal Regulations (CFR), Title 40, Part 429. The point source category guidelines apply (§ 429.10, Applicability) to "*any timber products processing operation, and any plant producing insulation board with wood as the major raw material, which discharges or may discharge process wastewater pollutants to waters of the United States, or which introduces or may introduce wastewater pollutants into a publicly owned treatment works*". Effluent limitations for the following subcategories for timber product processing operations are applicable to this facility.

> *a. Subpart A – Barking Subcategory, § 429.21(a): The following limitations apply to all mechanical barking installations: There shall be no discharge of process wastewater pollutants into navigable waters.*

b. Subpart I – Wet Storage Subcategory, § 429.101: Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent reduction attainable by the application of the best practicable control technology currently available (BPT): There shall be no debris discharged and the pH shall be within the range of 6.0 to 9.0. Part § 429.11(i) defines debris as woody material such as bark, twigs, branches, heartwood or sapwood that will not pass through a one-inch diameter round opening and is present in the discharge from a wet storage facility.

c. Subpart K – Sawmill and Planning Subcategory, § 429.121: Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent reduction attainable by the application of the best practicable control technology currently available (BPT): There shall be no discharge of process wastewater pollutants into navigable waters.

d. Subpart L – Finishing Subcategory, § 429.131: Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent reduction attainable by the application of the best practicable control technology currently available (BPT): There shall be no discharge of process wastewater pollutants into navigable waters.

Review of the onsite drainage system shows that the process wastewater from the sawmill operation and wet storage area (log deck) is commingled in Pond No. 2. The reclaimed wastewater utilized on the site for log deck sprinkling, bark washing, and dust suppression is a wastewater and if discharged to surface waters, is required to meet the discharge criteria as described above and in Finding No. 6. Upon commingling of storm water with the reclaimed wastewater or process water, the combined waste stream is defined as wastewater. For this combined waste stream, the most stringent effluent limitation applies (§ 429.121): There shall be no discharge of process wastewater pollutants into navigable waters.

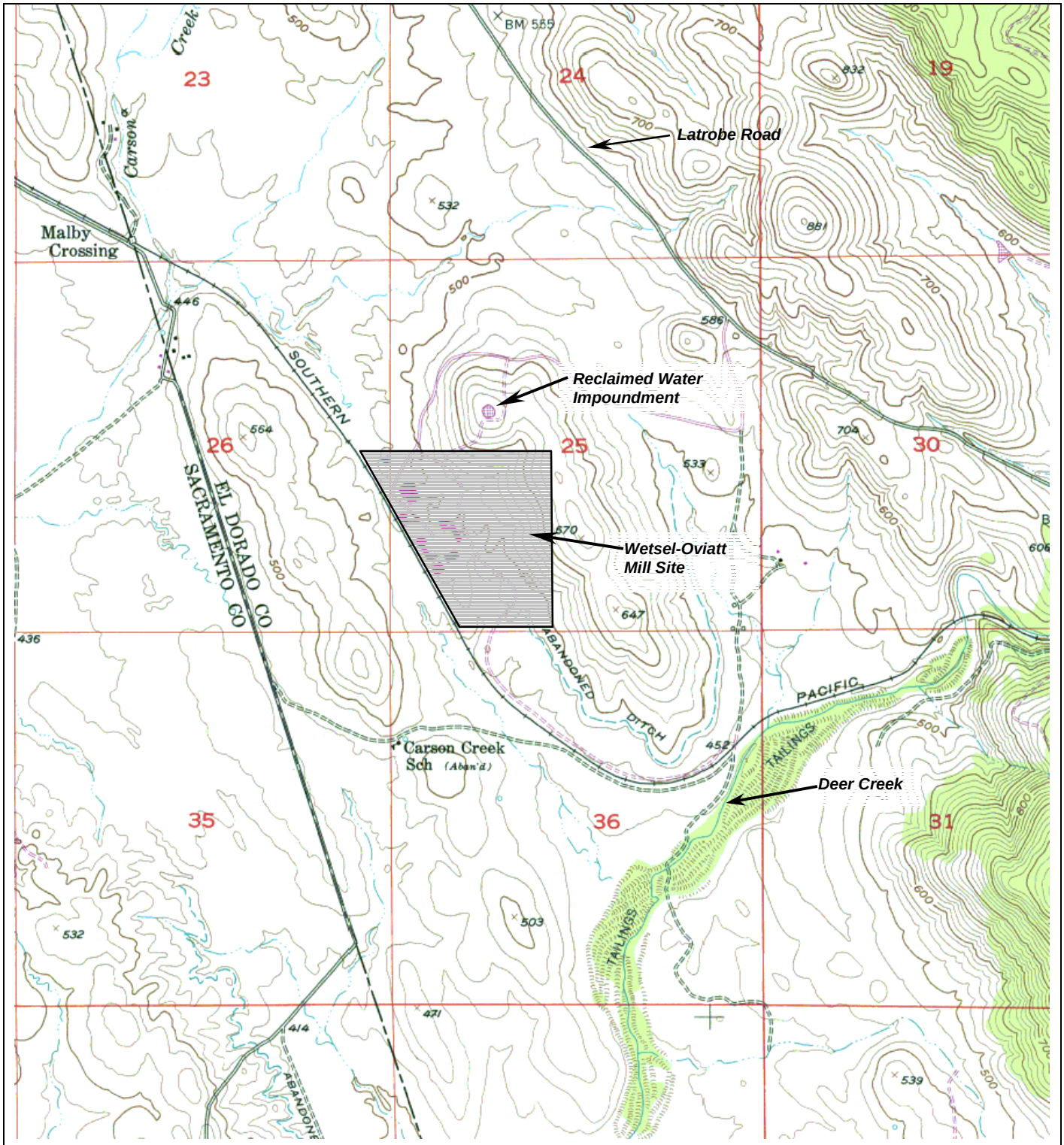
Effluent limits for timber processing operations at the facility include: mechanical bark removal (40 CFR § 429.21(a)), wet storage, saw milling, planning and finishing. 40 CFR § 429.100 contains effluent guidelines for wet log storage based on "best practicable control technology currently available." The effluent limitation states that there shall be no debris discharged and the pH shall be within the range of 6.0 to 9.0. CFR Part 429.11(i) defines debris as woody material such as bark, twigs, branches, heartwood or sapwood that will not pass through a one inch diameter round opening. CFR Parts 429.20, 429.124 and 429.134 contain a narrative effluent guideline for the sawmill operations, which state that there shall be no discharge of process wastewater pollutants into navigable waters.

The beneficial uses of the underlying ground water are municipal and domestic, industrial service, industrial process and agricultural supply. The permit contains a Groundwater Limitation that requires the discharge not degrade groundwater quality and therefore the permitted discharge is consistent with

the antidegradation provisions of 40 CFR 131.12 and State Water Resources Control Board Resolution 68-16. Compliance with these requirements will result in the use of best practicable treatment or control of the discharge. The impact on existing water quality will be insignificant.

The Discharger utilizes aeration and storage ponds for the treatment, storage, and disposal of wastewater. Pond Discharge Limitations have been included in this permit to assure that the pond system does not overflow or cause a nuisance. Nuisance conditions from pond systems are typically found when strong odors occur when the dissolved oxygen concentration is allowed to drop below 1.0 mg/*l*. This permit requires the dissolved oxygen concentration be maintained above 1.0 mg/*l* in the upper one-foot of water in the ponds. Ponds levees can fail for a variety of reasons, typically, a lack of maintenance or overtopping due to wave action. This permit requires a minimum pond freeboard be maintained to prevent overtopping.

ATTACHMENT A



Drawing Reference: FOLSOM S.E., CALIFORNIA U.S.G.S TOPOGRAPHIC MAP 7.5 MINUTE QUADRANGLE Photorevised 1973	**SITE LOCATION MAP** Wetsel-Oviatt Lumber Mill 2000 Wesel Oviatt Road El Dorado Hills, CA	approx. scale 1 in. = 2000 ft.