

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2007-0008

RESCINDING
CEASE AND DESIST ORDER NO. R5-2002-0211 AMENDMENT No. 1
(NPDES NO. CA0078662)
FOR
EL DORADO IRRIGATION DISTRICT
DEER CREEK WASTEWATER TREATMENT PLANT
EL DORADO COUNTY

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

1. On 6 December 2002, the Regional Water Board adopted Waste Discharge Requirements (WDRs) Order No. R5-2002-0210, NPDES No. 0078662, prescribing waste discharge requirements for the El Dorado Irrigation District (hereafter Discharger) Deer Creek Wastewater Treatment Plant (WWTP) in El Dorado County. WDR Order No. R5-2002-0210 regulates the discharge of approximately 2.5 million gallons per day (mgd) of treated domestic wastewater to Deer Creek, a tributary of the Cosumnes River.
2. On 6 December 2002, the Regional Water Board also adopted Cease and Desist Order (CDO) No. R5-2002-0211, providing a time schedule for the Discharger to comply with Receiving Water Limitations and complete Amendments to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) water quality objectives for pH, turbidity and temperature by 1 December 2003. CDO No. R5-2002-0211 also provided a time schedule for the Discharger to comply with effluent limitations for nitrite, nitrate plus nitrite, and total trihalomethanes by 30 December 2006.
3. On 17 October 2003, the Regional Water Board adopted CDO No. R5-2002-0211 Amendment No. 1 to extend the compliance period for the Discharger to comply with Receiving Water Limitations for pH, turbidity and temperature until 1 December 2004.
4. On 19 July 2002, site-specific Water Quality Objectives for pH and turbidity for Deer Creek in El Dorado County were adopted by the Regional Water Board, then approved by the State Water Resources Control Board (State Water Board), State of California Office of Administrative Law (OAL) and the U.S. EPA, prior to becoming effective on 21 October 2003.
5. On 17 March 2005, the Regional Water Board adopted Resolution No. R5-2005-0029, amending the Findings and Orders of CDO No. R5-2002-0211 Amendment No. 1, to reflect the amended Receiving Water Limitations for pH and turbidity (described in Finding No. 6 of this Resolution), require the Discharger's immediate compliance with the Receiving Water Limitations for pH and turbidity, and include a new compliance schedule for the Discharger to comply with the Receiving Water Limitation for temperature by 1 December 2005.

RESCINDING OF CEASE AND DESIST ORDER NO. R5-2002-0211 Amendment No. 1
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EI DORADO IRRIGATION DISTRICT, DEER CREEK WWTP
EL DORADO COUNTY

6. On 17 May 2006, the Site-Specific Temperature Objective for Deer Creek in El Dorado and Sacramento Counties (adopted by the Regional Water Board on 16 September 2005 and approved by the State Water Board, OAL and U.S. EPA) became effective.
7. The Discharger is in compliance with the requirements of CDO No. R5-2002-0211, Amendment No.1, as amended by Resolution No. R5-2005-0029, and the corresponding compliance dates. Therefore, CDO No. R5-2002-0211 is no longer necessary.
8. The Discharger and interested parties were notified of the intent to consider rescission of CDO No. R5-2002-0211 and subsequent amendments, and provided an opportunity for public hearing and an opportunity to submit written views and recommendations.
9. The 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 Section 15321, Title 14, California Code of Regulations, Section 15321.
10. Any person affected by this action of the Regional Board may petition the State Water Resources Control Board to review the action in accordance with Section 2050 through 2068, Title 23, California Code of Regulations. The petition must be received by the State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA, 95812-0100, within 30 days of the date on which the Regional Board action took place. Copies of the law and regulations applicable to filing petitions are available at www.swrcb.ca.gov/water_laws/index.html and also will be provided upon request.
11. On 25 January 2007, in Rancho Cordova, after due notice to the Discharger and other affected persons, the Regional Water Board conducted a hearing to consider rescission of CDO No. R5-2002-0211, including subsequent amendments.

IT IS HEREBY ORDERED that Cease and Desist Order No. R5-2002-0211 and subsequent amendments 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 25 January 2007.

PAMELA C. CREEDON, Executive Officer