

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2006-0105

SPECIAL ORDER
FOR
CITY OF REEDLEY
WASTEWATER TREATMENT FACILITY
FRESNO COUNTY
MODIFYING WASTE DISCHARGE REQUIREMENTS ORDER NO. 5-01-257
AND RESCINDING NPDES PERMIT NO. CA0081230

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

1. The City of Reedley owns and operates a wastewater collection, treatment, and disposal system that serves industry and 20,940 City residents. The wastewater treatment facility (WWTF) consists of headworks, an oxidation ditch, two secondary clarifiers, and a chlorination/dechlorination unit. The WWTF, including the disposal ponds, is fenced to preclude public access. The WWTF is on property owned by the City in Sections 33 and 34, T15S, R23E, MDB&M. Treated municipal wastewater is discharged to approximately 34 acres of ponds for final disposal by evaporation and percolation with the option and facilities to discharge to the Kings River, a water of the United States.
2. Waste Discharge Requirements (WDRs) Order No. 5-01-257 adopted by the Regional Water Board on 7 December 2001, prescribes requirements for a monthly average discharge flow of 3.5 million gallons per day (mgd) from the WWTF. Discharge is primarily to the ponds, but the Order, as National Pollutant Discharge Elimination System (NPDES) Permit No. CA0081230, also authorizes discharge of 1.75 mgd to the Kings River. Special Order No. R5-2003-0156, adopted 17 October 2003, amended Order No. 5-01-257 to delay compliance dates.
3. Current flows from the WWTF are 2.4 mgd (annual average). The City's engineer has certified that the 34 acres of ponds are adequate to dispose of flows of up to 4.7 mgd and remain in compliance with WDRs Order No. 5-01-257. The Discharger also has an additional 20 acres of land suitable for conversion to evaporation/percolation ponds, which will enable the WWTF to increase disposal capacity up to a total of 7 mgd. Since July 1998, there has been no discharge to the Kings River.
4. Provision J.27 of Order No. 5-01-257 specifies that NPDES provisions expire on 7 December 2006 and it requires the City to submit a Report of Waste Discharge (RWD) in application for renewal of waste discharge requirements no later than 180 days in advance of that date if it wishes to continue discharges to the Kings River.

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5. On 9 March 2006, the City submitted its January 2006 Wastewater Treatment Plant Final Draft Master Plan. The advantages and disadvantages of maintaining the NPDES permit are evaluated on pages 4-20 through 4-23. The Master Plan concludes that there is no benefit to continuing the NPDES permit. Section 5.3.2 of the Master Plan documents the water balances and pond capacity estimates that demonstrate the adequacy of the ponds for disposing of the WWTF's current and planned effluent discharges.
6. In a letter dated 29 March 2006, the City of Reedley requested that the Regional Water Board amend the current WDRs to withdraw authorization to discharge to Kings River. The City further requested that the WDRs revision be deferred until 2008 or early 2009 when the WWTF expansion is planned to occur.
7. WDRs Order No. 5-01-257 is adequate to protect underlying groundwater and preclude nuisance. Given the foregoing, it is reasonable and appropriate to amend the WDRs to revoke authorization to discharge to Kings River under the NPDES Program and to void or nullify the concomitant effluent discharge limitations, provisions, and monitoring requirements, including Provision J.27, to allow the balance of WDRs Order No. 5-01-257 to continue in full force.
8. The action to modify WDRs Order No. 5-01-257 to prohibit discharge to Kings River is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) in accordance with Title 14 California Code of Regulations, Section 15301 (existing facility).
9. On 21/22 September 2006, after due notice to the City and all other affected persons, the Regional Water Board conducted a public hearing at which time the Board received all evidence concerning modification of WDRs Order No. 5-01-257.

IT IS HEREBY ORDERED that, pursuant to California Water Code Sections 13263 and 13377, NPDES Permit No. CA0081230 is revoked, and WDRs Order No. 5-01-257 is amended as follows:

1. Prohibition A.5 is superseded with the following: "Discharge of pollutants to the Kings River is prohibited."
2. River Discharge Specifications section D is revoked in its entirety and thus void.
3. Receiving Water Limitations section F is revoked in its entirety and thus void.
4. Provisions J.3, J.6, J.19, and J.27 are revoked in their entirety and thus void.

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5. Provision J.1 is modified to replace reference to “Standard Provisions and Reporting Requirements for Waste Discharge Requirements – NPDES, March 1991” with “Standard Provisions and Reporting Requirements for Waste Discharge Requirements – Discharges to Land, March 1991,” which is attached hereto.
6. Provision J.2 is modified to revoke the last two sentences and to revoke and nullify the following monitoring and reporting requirements from Monitoring and Reporting Program No. 5-01-257 (MRP):
 - a. The requirements for Priority Pollutant monitoring listed under the Effluent Monitoring section.
 - b. “Discharge 002 Monitoring,” “Receiving Water Monitoring,” and “Three Species Toxicity Monitoring” in their entirety.

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 22 September 2006.

PAMELA C. CREEDON, Executive Officer

JE/DAB/WDH: 9/22/06