

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2022-0023

AMENDING
ORDER R5-2017-0085-01
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
CAG585001

WASTE DISCHARGE REQUIREMENTS
FOR MUNICIPAL WASTEWATER DISCHARGERS THAT MEET
OBJECTIVES/CRITERIA AT THE POINT OF DISCHARGE
TO SURFACE WATER

FINDINGS

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

1. On 11 August 2017, the Central Valley Water Board adopted Waste Discharge Requirements Order R5-2017-0085 (NPDES CAG585001) for Municipal Wastewater Dischargers That Meet Objectives/Criteria at the Point of Discharge to Surface Water (Municipal General Order). The Central Valley Water Board adopted Order R5-2020-0022 on 16 April 2020 amending the Municipal General Order.
2. The Municipal General Order includes screening levels for all priority pollutants, but only includes water quality-based effluent limitations for constituents of concern determined at the time the Municipal General Order was adopted. This Order amends the Municipal General Order to include water quality-based effluent limitations for selenium and thallium.
3. On 21 April 2022, after due notice to affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider this Order under the California Water Code (CWC).
4. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA") pursuant to Water Code section 13389, since the adoption or modification of a NPDES permit for an existing source is statutorily exempt and this Order only serves to implement a NPDES permit. (*Pacific Water Conditioning Ass'n, Inc. v. Discharger Council of Discharger of Riverside* (1977) 73 Cal.App.3d 546, 555-556.).

BOARD ACTION
IT IS HEREBY ORDERED THAT:

Effective immediately, Waste Discharge Requirements Order R5-2017-0085-01 (NPDES CAG585001) is amended solely as shown in items 1 through 10, below.

1. The Order number is changed from R5-2017-0085-01 to R5-2017-0085-02 throughout the Municipal General Order.
2. **Cover Page.** Modify the last paragraph to the text shown below:

I, PATRICK PULUPA, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on **11 August 2017** and amended by Order R5-2020-2022 on **16 April 2020** and amended by Order R5-2022-0023 on **21 April 2022**.

3. **Limitations and Discharge Requirements, Section V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS.** Insert the following Section V.A.1.b.vi and Table 27 as shown below to add effluent limitations for selenium and thallium:

iv. **Selenium and Thallium**

- (a) The following effluent limitations for selenium are applicable to all water bodies and the effluent limitations for thallium are applicable to water bodies with MUN use. Effluent limitations for thallium and selenium are calculated per Section 1.4 of the SIP using an effluent CV of 0.6.

Table 27. Effluent Limitations – Thallium and Selenium

Parameters	Units	Average Monthly Effluent Limitations	Maximum Daily Effluent Limitations
Thallium, Total Recoverable	µg/L	1.7	3.4
Selenium, Total Recoverable	µg/L	4.1	8.2

4. **Attachment E – Monitoring and Reporting Program (MRP), Section IV. EFFLUENT MONITORING REQUIREMENTS.** Only sections of the table with changes are shown. Modify Table E-3 Effluent Monitoring to add effluent monitoring for Thallium as shown below:

Table E-3. Effluent Monitoring

Parameter	Units	Sample Type	Major Discharger Minimum Sampling Frequency	Minor Discharger Minimum Sampling Frequency	Required Analytical Test Method
Thallium, Total Recoverable	µg/L	Grab ⁴	1/Quarter	7	3,8

5. **Attachment F – Fact Sheet, Section I. PERMIT INFORMATION.** Insert the following text as Section I.A.2 beneath Section I.A.1:
2. **2022 Permit Amendment.** On 21 April 2022, the Central Valley Water Board adopted Order R5-2022-0023 amending the Municipal General Order to add water quality-based effluent limitations for selenium and thallium.
6. **Attachment F – Fact Sheet, Section V. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS.** Modify the last paragraph of Section V.C.3.a, to add selenium and thallium to the list of priority pollutant constituents of concern to the following:

Based on the evaluation of pollutants with applicable effluent limitations in individual NPDES permits for Dischargers that are potentially eligible for coverage under this General Order, the Central Valley Water Board has identified the following priority pollutants of concern that are currently in discharges from municipal wastewater treatment plants: arsenic, bis (2-ethylhexyl) phthalate, chlorodibromomethane, copper, cyanide, dichlorobromomethane, lead, tetrachloroethylene, selenium, thallium, and zinc. This General Order includes effluent limitations for these priority pollutants of concern. Based on the RPA results for a specific Discharger, the Notice of Applicability will specify effluent limitations for those priority pollutants present in the discharge at concentrations that exhibit reasonable potential to cause or contribute to an exceedance of water quality objectives/criteria. The applicable water quality objectives/criteria for the priority pollutants of concern in discharges from municipal wastewater treatment plants are as follows:

7. **Attachment F – Fact Sheet, Section V. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS.** Add two new subsections to Section V.C.3.a, to add selenium and thallium as shown below:
- x. **Selenium.** The CTR includes maximum 1-hour average and 4-day average criteria of 20 µg/L and 5 µg/L, respectively, for selenium for the protection of freshwater aquatic life, which are applicable for all water bodies. This General Order includes a screening level in Attachment C. This General Order also includes effluent limitations in section V.A.1.b.vi for selenium based on the CTR criteria, which are applicable to all water bodies.
 - xi. **Thallium.** The CTR includes a criterion of 1.7 µg/L for thallium for the protection of human health for waters from which both water and organisms are consumed. This General Order includes screening levels in Attachment C. This General Order also includes effluent limitations in section V.A.1.b.vi for thallium based on the CTR criterion for the protection of human health for waters from which both water and organisms are consumed, which are applicable to water bodies with MUN use.
8. **Attachment F – Fact Sheet, Section V. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS.** Modify Section V.C.4.a, to add selenium and thallium to list of constituents with water quality-based effluent limitations to the following:
- a. This General Order includes WQBEL's for aluminum, ammonia, arsenic, bis (2-ethylhexyl) phthalate, BOD₅, chlorine residual, chlorodibromomethane, copper, cyanide, diazinon and chlorpyrifos, dichlorobromomethane, electrical conductivity, fluoride, lead, manganese, MBAS, mercury, methylmercury, nitrate plus nitrite, nitrite, pH, selenium, settleable solids, temperature, tetrachloroethylene, total coliform organisms, TSS, thallium, and zinc. The general methodology for calculating WQBEL's based on the different criteria/objectives is described in subsections V.C.4.b through d, below.

9. **Attachment G – CALCULATION OF WQBEL’S.** Only sections of the table with changes are shown. Modify the table titled “Human Health WQBEL’s Calculations – MUN USE” in Attachment G to add effluent limitations for thallium under “Priority Pollutants” row as shown below:

Parameter	Units	Criteria	MDEL/AMEL Multiplier	AMEL Multiplier	AWEL/AMEL Multiplier	AMEL	AWEL	MDEL
Thallium, Total Recoverable	µg/L	1.7	2.01	1.55	1.73	1.7	--	3.4

10. **Attachment G – CALCULATION OF WQBEL’S.** Only sections of the table with changes are shown. Modify the table titled “Aquatic Life WQBEL’s Calculations” in Attachment G to add effluent limitations for selenium under “Priority Pollutants” row as shown below:

Parameter	Units	CMC	CCC	ECA Multiplier _{acute}	LTA _{acute}	ECA Multiplier _{chronic}	LTA _{chronic}	AMEL Multiplier ₉₅	AWEL Multiplier	MDEL Multiplier ₉₉	AMEL ₁	AWEL ₂	MDEL ₃
Selenium, Total Recoverable	µg/L	20	5	0.32	6.4	0.53	2.6	1.55	2.68	3.11	4.1	--	8.2

ORDER R5-2022-0023
AMENDING GENERAL WDR ORDER R5-2017-0085-01
MUNICIPAL GENERAL ORDER

6

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date that this Order becomes final, except that if the thirtieth day following the date that this Order becomes final falls on a Saturday, Sunday, or state holiday (including mandatory furlough days), the petition must be received by the State Water Board by 5:00 p.m. on the next business day.

[Links to the laws and regulations applicable to filing petitions](#)

(http://www.waterboards.ca.gov/public_notices/petitions/water_quality) may be found on the Internet or will be provided upon request.

I, PATRICK PULUPA, 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 21 April 2022.

PATRICK PULUPA, Executive Officer