

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER NO. R5-2009-0032

RESCISSION OF CEASE AND DESIST ORDER No. R5-2002-0096  
FOR  
NEVADA COUNTY SANITATION DISTRICT NO. 1  
LAKE OF THE PINES WASTEWATER TREATMENT PLANT  
NEVADA COUNTY

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

1. Nevada County Sanitation District No. 1, (hereinafter Discharger) owns and operates the Lake of the Pines Wastewater Treatment Plant (hereinafter Facility) which discharges up to 0.72 million gallons per day (MGD) of tertiary-treated wastewater to Magnolia Creek, a water of the United States, and a tributary to the Bear River.
2. On 7 June 2002, the Regional Water Board adopted Waste Discharge Requirements (WDR) Order No. R5-2002-0095, National Pollutant Discharge Elimination System (NPDES) No. CA0081612, prescribing WDRs for the Facility. Order No. R5-2002-0095 included effluent limitations for ammonia, nitrate plus nitrite, nitrite, and aluminum with which the Discharger could not comply until plant upgrades were completed.
3. Cease and Desist Order (CDO) No. R5-2002-0096 adopted by the Regional Water Board on 7 June 2002, provided a time schedule for the Discharger to comply with the effluent limitations for ammonia, nitrate plus nitrite, nitrite, and aluminum by 30 April 2007.
4. The Discharger was unable to complete the construction of new treatment facilities necessary to assure compliance with the effluent limitations by 30 April 2007. On 22 June 2007, the Regional Water Board adopted Time Schedule Order (TSO) No. R5-2007-0072 providing a new time schedule until 30 April 2008 for the Discharger to comply with the effluent limitations for ammonia, nitrate plus nitrite, nitrite, and aluminum.
5. The Discharger completed construction of new tertiary treatment facilities in April 2008 with full operation by June 2008. The new facilities replaced secondary treatment in an aerated lagoon. The new biological treatment system consists of a series of treatment tanks used for biochemical oxygen demand (BOD) reduction, nitrogen removal, phosphorous removal and solids separation. Solids separation is accomplished using a microfiltration membrane (MBR) system. The chlorine disinfection system has been replaced by ultraviolet (UV) irradiation. Alum, which was the source of the aluminum, is no longer used as a coagulant prior to filtration. The Discharger is currently in compliance with the WDRs.

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6. As the Discharger complied with CDO No. R5-2002-0096, rescission of CDO No. R5-2002-0096 is appropriate.
7. The Discharger and interested agencies and persons were notified of the intent to consider rescission of CDO No. R5-2002-0096 and provided an opportunity for public hearing and an opportunity to submit written views and recommendations.
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 Title 14, California Code of Regulations, Section 15321.
9. All comments and evidence pertaining to this matter were heard and considered in a public meeting.
10. Any person adversely affected by this action of the Regional Water Board may petition the State Water Resources Control Board (State Board) to review this action. The petition must be received by the State Board, Office of the Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date in which the action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

**IT IS HEREBY ORDERED** that Cease and Desist Order No. R5-2002-0096 is 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 **24 April 2009**.

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PAMELA C. CREEDON, Executive Officer