

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2008-0140

AMENDING WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2002-0208
TO RESCIND NPDES PERMIT NO. CA0079341
AND TO RESCIND CEASE AND DESIST ORDER NO. R5-2002-0209
FOR
PLACER COUNTY SERVICE AREA NO. 28, ZONE NO. 6
AND MARY LOUISE MORRISON, TRUSTEE
SHERIDAN WASTEWATER TREATMENT PLANT
PLACER COUNTY

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

1. On 6 December 2002, the Central Valley Regional Water Quality Control Board (Regional Water Board) adopted Waste Discharge Requirements Order No. R5-2002-0208 (Order) and Cease and Desist Order (CDO) No. R5-2002-0209, authorizing Placer County and Ms. Mary Louise Morrison, Trustee (hereafter Discharger) to discharge treated domestic wastewater to an unnamed drainage ditch, which is tributary to Yankee Slough and to the Bear River.
2. CDO No. R5-2002-0209 provided a compliance date of 30 December 2006 for the Discharger to comply with ammonia, nitrate plus nitrite, and nitrite effluent limitations as specified in Section B. 1 of the NPDES Permit.
3. The Discharger owns and operates a secondary pond wastewater treatment facility, which is unable to provide nitrification and denitrification to reduce ammonia, nitrate plus nitrite, and nitrite concentrations in the effluent to comply with its NPDES Permit requirements.
4. Order No. R5-2002-0208 expired on 31 December 2007. Provision I.16 of the Order required the Discharger to file a Report of Waste Discharge (RWD) no later than 180 days in advance of the Order's expiration date of 31 December 2007, if the Discharger wishes to continue discharge. In its RWD, submitted to the Regional Water Board on 31 December 2007, the Discharger states it ceased surface water discharge prior to the 30 December 2006 compliance date specified in CDO No. R5-2002-0209 and Provision I. 7 of the Order.
5. Order No. R5-2002-0208 found the permitted surface water and groundwater discharge consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Resources Control Board Resolution No. 68-16. This Resolution does not authorize an increase in discharge or change in discharge location, and therefore is in accordance with State and Federal antidegradation policies.
6. Given the foregoing, it is reasonable and appropriate to amend Order No. R5-2002-0208 to rescind authorization of surface water discharge under the NPDES Program, rescind CDO No. R5-2002-0209, and to amend the concomitant limitations and provisions, where appropriate, to allow the balance of Order No. R5-2002-0208 to continue in full force.

RESOLUTION NO. R5-2008-0140
AMENDING WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2002-0208
PLACER COUNTY SERVICE AREA NO. 28, ZONE NO. 6
SHERIDAN WASTEAWATER TREATMENT PLANT
PLACER COUNTY

-2-

7. Adoption of this Resolution to amend Order No. R5-2002-0208, rescind NPDES Permit No. CA0079341, and rescind CDO No. R5-2002-0209 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 Regulation, Section 15301, and Title 14, California Code of Regulations, Section 15061 (b)(3). The deletion of NPDES provisions and the rescission of the NPDES permit are ministerial and are not a "project" as defined by CEQA because those provisions have already expired. The rescission of the CDO is ministerial and not a "project" because the Discharger has already complied with the CDO, and because the CDO was only intended to attain compliance with the expired NPDES requirements. (Public Resources Code Sections 21065 and 21080(b)(2).)
8. On 11 September 2008, after due notice to the Discharger and all other affected persons, a Public Hearing was held and all evidence received concerning amendment of Order No. R5-2002-0208 and rescission of CDO No. R5-2002-0209 was considered.

IT IS HEREBY ORDERED that Cease and Desist Order No. R5-2002-0209 is rescinded.

IT IS FURTHER ORDERED that, pursuant to California Water Code Sections 13263 and 13377, Waste Discharge Requirements (WDR) Order No. R5-2002-0208 is amended to rescind NPDES Permit No. CA0079341 and prohibit surface-water discharges by making the following modifications to the Order

1. The title of WDR No. R5-2002-0208 is amended to delete the reference to NPDES NO. CA0079341.
2. Finding 2 is amended to modify the last sentence of the first paragraph and add the following: "Treated municipal wastewater is discharged to spray fields during dry months and, prior to January 2007, occasionally discharges to surface waters during wet weather, an unnamed drainage ditch which is tributary to Yankee Slough and to the Bear River, waters of the United States.
3. Finding 3 is amended as follows:
"The treatment system consists of an unlined aeration pond; two unlined settling ponds, and chlorination. The system does not currently have the facilities to dechlorinate. This Order previously required that wastewater be dechlorinated before resuming a surface water discharge. Chlorinated secondary effluent is spray irrigated to 29 acres of pasture, 9 acres owned by Placer County and 20 acres owned by Mary Louise Morrison. The treatment facilities were originally designed to dispose of wastewater by evaporation and percolation. The wastewater treatment plant influent flow, reportedly due to infiltration and inflow (I/I), exceeded the design capacity of the system. Due to the hydraulic capacity problem, the community, in 1985, implemented a self-imposed connection ban that remains in effect. Rather than expanding the land disposal facility, the Discharger applied for an NPDES permit to discharge excess wastewater to surface water during wet weather periods. An NPDES permit was originally

issued in 1988 and subsequently renewed. This Order prohibits surface water discharges.

4. The second-to-last paragraph of Finding 11 is replaced with the following: "This permit prohibits surface-water discharges."
5. Findings 10-24 are deleted.
6. Finding 43 is amended to change the reference from "Attachments A through E" to "Attachment A."
7. Finding 51 is deleted.
8. Discharge Prohibition A.1 is superseded with the following: "Discharge of wastewater to land at a location or in a manner different from that described in the Findings in this Order or Resolution No. R5-2008-0140 is prohibited. Discharge to surface water, including the unnamed drainage ditch which is tributary to Yankee Slough and to the Bear River, is prohibited."
9. Discharge Prohibition A.2 is superseded with the following: "The discharge of wastes is prohibited except as allowed by this Order and Standard Provisions and Reporting Requirements for Waste Discharge Requirements, dated 1 March 1991."
10. Provision B. Effluent Limitations is deleted in its entirety.
11. Section D. Receiving Water Limitations is deleted.
12. Provisions I.4, 1.5, I.6, and I.7 are deleted.
13. Provision I.11 is amended to replace reference to "*Standard Provisions and Reporting Requirements for Waste Discharge Requirements (NPDES), dated 1 March 1991*" with "*Standard Provisions and Reporting Requirements for Waste Discharge Requirements, 1 March 1991*". Accordingly, WDR Order No. R5-2002-0208 is amended to replace all reference to "*Standard Provisions and Reporting Requirements for Waste Discharge Requirements (NPDES), dated 1 March 1991*" with "*Standard Provisions and Reporting Requirements for Waste Discharge Requirements, 1 March 1991*", (hereafter referred to as Standard Provisions).
14. Provision I.20 is amended to replace reference to "*The statement shall comply with the signatory paragraph of Standard Provision D.6...*" with "*The statement shall comply with the signatory paragraph of Standard Provision B.3...*".

RESOLUTION NO. R5-2008-0140
AMENDING WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2002-0208
PLACER COUNTY SERVICE AREA NO. 28, ZONE NO. 6
SHERIDAN WASTEAWATER TREATMENT PLANT
PLACER COUNTY

-4-

15. Monitoring and Reporting Program (MRP) No. R5-2002-0208, EFFLUENT MONITORING is deleted in its entirety.
16. MRP No. R5-2002-0208, RECEIVING WATER MONITORING and THREE SPECIES CHRONIC TOXICITY MONITORING are deleted.
17. WDR No. R5-2002-0208 is amended to delete Attachments B, C, D, and E.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region, on 11 September 2008.

PAMELA C. CREEDON, Executive Officer