

ITEM: 15

SUBJECT: City of Yuba City, Wastewater Treatment Facility, Sutter County

BOARD ACTION: *Consideration of Order Amending Order R5-2007-0134 (NPDES NO. CA0079260).*

BACKGROUND: The City of Yuba City (Discharger) owns and operates the Yuba City Wastewater Treatment Facility (Facility) located in Sutter County. The Discharger provides sewerage service for the community of Yuba City and serves a population of approximately 52,000. The Facility design average dry weather flow capacity is 10.5 MGD. In addition, the Facility accepts septage from unsewered portions of Sutter and Yuba Counties. The current residential monthly sewer fee for a single family dwelling is \$27.62. The current hook-up/capacity fee is \$5,100 per single family dwelling (plus costs associated with installation of onsite pipelines and the pipeline from the sewer main to the home).

The Discharger is currently regulated by Order R5-2007-0134 adopted by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 25 October 2007. The California Sportfishing Protection Alliance petitioned the State Water Resources Control Board (State Water Board) to review Central Valley Water Board decisions regarding Order R5 2007 0134. The State Water Board subsequently adopted Water Quality Order (WQO) 2008-0010, remanding R5-2007-0134 to the Central Valley Water Board for modification. The proposed Order amending Order R5-2007-0134 is based on WQO 2008-0010.

The treatment system consists of bar screens, aerated grit removal, primary sedimentation, pure oxygen activated sludge, secondary sedimentation, chlorine disinfection, dechlorination, and pH adjustment. Normally, treated wastewater from the Facility is discharged through a multi-port diffuser to the Feather River, a water of the United States, within the Sacramento River Watershed. Alternatively, effluent from the Facility can be directed to one or more of six disposal (percolation) ponds located between the two main east and west levee banks within the Feather River flood plain (above the physical ordinary high water elevation).

The proposed permit amendment addresses the State Water Board remand and additionally reopens the permit to modify the effluent limitations for lead and aluminum based on new information provided by the Discharger.

ISSUES: Public comments on the proposed Amendment were received from California Sportfishing Protection Alliance (CSPA) and the Discharger. CSPA and the Discharger were granted status as Designated Parties for the Board hearing.

The Discharger suggested that effluent limits should be set a level reasonably necessary to protect beneficial uses, but not be set significantly below these levels using performance-based limits without sufficient justification. The performance-based limits were established in this Amendment not to allow use of more assimilative capacity than is necessary and to not allow the Discharger to reduce the level of best practicable treatment or control.

The Discharger indicated that the interim performance-based effluent limit for aluminum established in Order R5-2007-0134 was incorrectly calculated using a normal distribution and should have been calculated using a log-normal distribution if it is established as the MDEL in the proposed Amendment. This would increase the proposed aluminum MDEL from 353 to 554 µg/L. The Discharger has been able to meet the 353 µg/L limit for the past six years with a maximum effluent concentration of 310 µg/L; therefore, the proposed amendment includes the continued establishment of the 353 µg/L limit.

CSPA contended that Central Valley Water Board staff illegally utilized a Water Effects Ratio for aluminum to set the effluent limitations without establishing Water Quality Standards. CSPA also contends that the proposed Amendment contains effluent limitations for aluminum that are less stringent than the existing permit. A site-specific Water Effects Ratio was not used for establishing the effluent limit for aluminum. Best professional judgment was used to interpret the Basin Plan's narrative toxicity objective and determining that the USEPA's National Ambient Water Quality Criteria (NAWQC): 2002 (EPA-822-R-02-047) does not support the use of the 87 ug/L chronic criterion when receiving water pH is greater than 7.0 and hardness is greater than 10 mg/L. Data included in the Yuba City Phase I WER, combined with subsequent new information regarding Phase I WER studies conducted by other dischargers with similar results as Yuba City, is the basis of the non-applicability of the chronic aluminum criteria.

Mgmt. Review _____
Legal Review __PEP__

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