

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2012-XXXX

AMENDING TIME SCHEDULE ORDER R5-2010-0030

REQUIRING THE EL DORADO IRRIGATION DISTRICT
EL DORADO HILLS WASTEWATER TREATMENT PLANT
EL DORADO COUNTY

TO COMPLY WITH REQUIREMENTS PRESCRIBED IN ORDER R5-2007-0069
(NPDES PERMIT NO. CA0078671)

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

1. On 22 June 2007 the Central Valley Water Board adopted Waste Discharge Requirements (WDR) Order R5-2007-0069, NPDES Permit No. CA0078671, prescribing waste discharge requirements for the El Dorado Irrigation District (hereinafter Discharger), El Dorado Hills Wastewater Treatment Plant (hereafter Facility), in El Dorado County.
2. WDR Order R5-2007-0069 contains Final Aluminum Effluent Limitations in section IV.A.1.a., Table 6b and Table 6c, which read, in part, as follows:

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Aluminum, Total Recoverable	µg/L	59.0	--	161.0	--	--
	lbs/day ¹	1.5	--	4.0	--	--

¹Based on an ADWF of 3.0 mgd (see Section VII.J. for compliance determination regarding ADWF).

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Aluminum, Total Recoverable	µg/L	59.0	--	161.0	--	--
	lbs/day ¹	2.0	--	5.4	--	--

¹Based on an ADWF of 4.0 mgd (see Section VII.J. for compliance determination regarding ADWF).

WDR Order R5-2007-0069 contains a time schedule requiring the Discharger to comply with final aluminum effluent limitations by 19 May 2012, and an interim daily maximum effluent limitation for aluminum of 841 µg/L.

3. On 18 March 2010 the Central Valley Water Board adopted Time Schedule Order (TSO) R5-2010-0030 to provide compliance schedules for the Discharger to comply with final effluent limitations for copper, zinc, bis (2-ethylhexyl) phthalate, persistent chlorinated hydrocarbon pesticides, dibromochloromethane, dichlorobromomethane, total trihalomethanes, and cyanide. TSO R5-2007-0030 also continued interim effluent limitations for endrin aldehyde, heptachlor, gamma-BHC, and dalapon contained in WDR Order R5-2007-0069.
4. Pursuant to Water Code section 13385(j)(3)(C)(II), the Central Valley Water Board finds that the Discharger has made diligent effort in reducing its aluminum effluent concentration to comply with final aluminum effluent limitations, and has gathered site specific receiving water information for the Board to appropriately interpret narrative water quality objectives.
5. On 4 November 2009 the Discharger requested Central Valley Water Board reconsideration of the final aluminum effluent limitations contained in WDR Order R5-2007-0069 based on new site-specific receiving water information. The reevaluation of the final aluminum effluent limitations is proposed to be included in the next NPDES Permit renewal. The final aluminum effluent limitations in WDR Order R5-2007-0069 became effective on 19 May 2012, prior to the proposed renewal of the NPDES Permit. Additional time is needed until the Central Valley Water Board reconsiders site-specific aluminum toxicity in the receiving water in the upcoming NPDES Permit renewal. On 5 July 2012 the Discharger requested that the interim daily maximum effluent limitation for aluminum of 841 µg/L be extended until the existing NPDES Permit is renewed.
6. This Order amends existing TSO R5-2010-0030 to include a time schedule that allows the Discharger until 30 April 2013 to comply with either the final aluminum effluent limitations in WDR Order R5-2007-0069, or site-specific aluminum limitations contained in a subsequent renewal. This Order amends TSO R5-2010-0030 to include an interim maximum daily effluent limitation for aluminum of 841 µg/L. The compliance schedule is as short as possible.
7. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA") to Water Code

section 13389, since the adoption or modification of a time schedule order for an existing source is statutorily exempt and this Order only serves to implement a time schedule order. (*Pacific Water Conditioning Ass'n, Inc. v. City Council of City of Riverside* (1977) 73 Cal.App.3d 546, 555-556.).

7. On XX October 2012, in Rancho Cordova, California, after due notice to dischargers and all other 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.
8. 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 Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

IT IS HEREBY ORDERED that Time Schedule Order R5-2010-0030 is amended as described by the following:

1. Insert the following new findings under the Mandatory Minimum Penalties (MMPs) section of TSO R5-2010-0030 and renumber the findings accordingly:
 17. Compliance with this Order exempts the Discharger from MMPs for violations of aluminum final effluent limitations in WDR Order R5-2007-0069 as follows:
 - a. Aluminum: The final aluminum effluent limitations in WDR Order R5-2007-0069 became effective on 19 May 2012. This Order provides protection from MMPs beginning XX October 2012 (the date of this Order) until 30 April 2013.
 21. For aluminum, this Order maintains the interim maximum daily effluent limitation of 841 ug/L established in WDR Order R5-2007-0069.
2. Amend the table under IT IS HEREBY ORDERED THAT, Provision 2., by adding the underlined text regarding the addition of an aluminum interim limit, as shown below:

2. The following interim maximum daily effluent limitations shall be effective immediately and until the date specified in the table for the applicable parameter, or when the Discharger is able to come into compliance, whichever is sooner.

Effective immediately and until:	Parameter	Maximum Daily Effluent Limitation (µg/L)
31 May 2011	Dibromochloromethane	3.28
31 May 2011	Dichlorobromomethane	23.95
31 May 2011	total Trihalomethanes	178
31 December 2012	Copper, Total Recoverable	23.88
31 December 2012	Zinc, Total Recoverable	330
31 May 2013	Bis(2-ethylhexyl)phthalate	8.09
31 May 2013	Heptachlor	0.34
31 May 2013	Endrin Aldehyde	0.53
31 May 2013	gamma-BHC	0.21
31 May 2013	Dalapon	6
31 January 2014	Cyanide	20.84
<u>30 April 2013</u>	<u>Aluminum</u>	<u>841</u>

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 5 October 2012.

PAMELA C. CREEDON, Executive Officer