

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2014-XXXX

RESCISSION OF TIME SCHEDULE ORDER R5-2011-0906
FOR
U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE,
YOSEMITE NATIONAL PARK
EL PORTAL WASTEWATER TREATMENT FACILITY
MARIPOSA COUNTY

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

1. The U.S. Department of the Interior, National Park Service, Yosemite National Park (hereafter Discharger) owns and operates the El Portal Wastewater Treatment Facility (Facility). The Facility discharges treated wastewater to the Merced River, a water of the United States. The Facility is located at 5083 Foresta Road in El Portal.
2. On 25 April 2008, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2008-0060, NPDES Permit CA0081759 that prescribed waste discharge requirements for the Discharger's Facility. Order R5-2008-0060 contained, in part, final effluent limitations for copper that the Discharger could not comply with until additional, necessary control measures were identified and implemented.
3. Order R5-2008-0060 contained an interim effluent limitation for copper and a compliance schedule to comply with the final effluent limitations by 18 May 2010.
4. On 22 March 2010, the Discharger submitted a *Revised Time Schedule Extension Request* (Revised Request). The Revised Request stated that the Discharger was in the progress of implementing corrosion control treatment at the groundwater supply wells for the El Portal service area. If that was not sufficient to achieve compliance with the average monthly final effluent limitation for copper, the Revised Request stated that the Discharger would begin a water-effects ratio (WER) study and investigate treatment measures within the Facility if necessary.
5. On 15 September 2011, the Central Valley Water Board's Executive Officer issued Time Schedule Order R5-2011-0906 to provide the Discharger an interim copper effluent limitation and a time schedule to fully implement additional control measures specified in plans submitted by the Discharger, or take other actions to come into compliance with the average monthly final effluent limitation for copper contained in Order R5-2008-0060. Time Schedule Order R5-2011-0906 set a final compliance deadline of 30 May 2012, or when the Discharger was able to come into compliance with the average monthly final effluent limitation, whichever was sooner.

6. Order R5-2008-0060 expired on 23 April 2013 and was administratively continued until the Central Valley Water Board adopted WDRs Order R5-2014-XXXX, NPDES Permit CA0081759 on **<Board Meeting Date>**, prescribing new WDRs for the Discharger's Facility. Order R5-2014-XXXX establishes final effluent limitations for copper that the Discharger can immediately comply with based upon new information obtained from effluent and receiving water monitoring data collected, special studies conducted, control measures enacted, and facility improvements completed during the term of Order R5-2008-0060.
7. The Discharger has achieved compliance by completing all of the tasks in Time Schedule Order R5-2011-0906 or taking other actions to come into compliance with final effluent limitations. Therefore, rescission of Time Schedule Order R5-2011-0906 is appropriate.
8. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to rescind Time Schedule Order R5-2011-0906 and has provided them with an opportunity for a public hearing and an opportunity for them to submit their written views and recommendations.
9. Issuance of this Order regards an enforcement action of a regulatory agency, and therefore, is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code § 21000 et seq.), in accordance with California Code of Regulations, title 14, section 15321(a)(2).
10. The Central Valley Water Board, in a public meeting, heard and considered all comments and evidence pertaining to this matter.
11. Any person adversely affected by this action of the Central Valley 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 Time Schedule Order R5-2011-0906 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 XX June 2014.

PAMELA C. CREEDON, Executive Officer