

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2018-XXXX

AMENDING TIME SCHEDULE ORDER R5-2015-0003-02
(NPDES PERMIT CA0079391)

CITY OF JACKSON
WASTEWATER TREATMENT PLANT
AMADOR COUNTY

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

1. The City of Jackson (Discharger) owns and operates the Wastewater Treatment Plant (Facility). The Facility discharges up to 0.71 million gallons per day (MGD) of treated wastewater to Jackson Creek, a water of the United States, and a tributary to Amador Lake within the Mokelumne River watershed. On 5 December 2013, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2013-0146 (NPDES No. CA0079391), which included in part final effluent limitations for: chlorodibromomethane, cyanide, dichlorobromomethane, nitrate plus nitrite, and total trihalomethanes.
2. On 5 February 2015, Time Schedule Order (TSO) R5-2015-0003 was adopted providing a time schedule for conversion to UV disinfection and addition of anoxic basins and requires compliance with the final effluent limitations for chlorodibromomethane, cyanide, dichlorobromomethane, nitrate plus nitrite, and total trihalomethanes by 1 March 2018.
3. On 18 February 2016, TSO R5-2015-0003 was amended to TSO R5-2015-0003-01 by Amending Order R5-2016-0003 to extend milestone dates by eight months and the final compliance date from 1 March 2018 to 1 November 2018 for cyanide, chlorodibromomethane, dichlorobromomethane, nitrate plus nitrite, and total trihalomethanes due to a delay in design completion.
4. On 6 August 2015, at a kickoff meeting, the Discharger and design consultant made decisions to reduce the project scope. During the pre-design phase which lasted from August 2015 to May 2016, additional reductions in the project scope were made. Changes to the project scope consist of the following items:
 - Use of simultaneous nitrification and denitrification within the oxidation ditches instead of separate denitrification.
 - Use of disk filters instead of sand filters.
 - Removal of new chemical feed, mixing, and flocculation facilities.
 - Removal of compressors and overhead crane for the UV facility.
 - Use of a canopy for the UV facility instead of a building.
 - Use of a screw press for biosolids dewatering which was previously undetermined.
5. After completion of the design, the Discharger needed to receive conditional approval of the project funding through the Clean Water State Revolving Fund (SRF) program prior to bidding

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the project. Securing the final Finance Agreement and awarding the bid was delayed by approximately four months due to the changes listed in Finding 4 and the following events:

Date	Activity
27 July 2016	SRF staff requested an addendum to CEQA documentation due to the reduction in project scope.
29 August 2016	Addendum #2 to the Final Environmental Impact Report (EIR), which addresses the project scope changes contained in Finding 4 and confirms that a supplemental EIR is not required, is certified by the Discharger. The Discharger files a Notice of Determination with Amador County.
Mid-October 2016	SRF staff complete review of the environmental portion of the SRF loan.
28 October 2016	The Discharger issues a Request for Bids. The 6-week bidding period ended on 9 December 2016.
5 December 2016	The draft Finance Agreement from SRF is issued.
5 January 2017	Review of the bids is completed and a recommendation is made by the Discharger's consultant.
Early January 2017	SRF staff request that the Discharger obtain a letter from the U.S. Army Corps of Engineers stating that a 404 Permit is no longer necessary due to the changes in planned activities. SRF staff also question the Discharger's ability to repay the SRF loan due to negotiations with the Central Valley Water Board over a fine imposed for sanitary sewer overflows.
1 February 2017	The final Finance Agreement is signed after the Discharger submitted a letter to SRF explaining why the 404 Permit is no longer applicable. A separate letter to SRF from the Discharger's attorney certified the Discharger's ability to repay the loan.
13 February 2017	The bid is awarded by the Discharger at the City Council meeting.

6. In a letter dated 26 May 2017, after an initial construction schedule was provided to the Discharger at the end of April 2017, the Discharger requested to extend all remaining milestone dates and the date for compliance with the final effluent limitations for cyanide, chlorodibromomethane, dichlorobromomethane, nitrate plus nitrite, and total trihalomethanes in TSO R5-2015-0003-01 by seven months excluding annual Progress Reports due to the delay described in Finding 4, plus consideration of the construction schedule and any additional unforeseen delays. TSO R5-2015-0003-02 amended the compliance schedule in TSO R5-2015-0003-01 to extend the applicable milestone dates by seven months and the date for compliance with final effluent limitations for cyanide, chlorodibromomethane, dichlorobromomethane, nitrate plus nitrite, and total trihalomethanes to 1 June 2019.
7. This Order amends the compliance schedule in TSO R5-2015-0003-02 to include a date for compliance with the final effluent limitations for total coliform organisms to 1 June 2019

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because Discharger cannot consistently comply with final total coliform organisms effluent limits. Facility upgrades, including replacing the tertiary filtration system and replacing the chlorine disinfection system with UV disinfection are being constructed to address this issue. This extension coincides with the date for compliance with final effluent limitations for cyanide, chlorodibromomethane, dichlorobromomethane, nitrate plus nitrite, and total trihalomethanes.

8. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) pursuant to Water Code section 13389, since the adoption or modification of an NPDES permit for an existing source is statutorily exempt and this Order only serves to implement a NPDES permit. (*Pacific Water Conditioning Ass'n, Inc. v. City Council of City of Riverside* (1977) 73 Cal.App.3d 546, 555-556.).
9. On XX April 2018, in Fresno, California, after due notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider amending TSO R5-2015-0003-02.

IT IS HEREBY ORDERED THAT pursuant to CWC Sections 13301 and 13267, TSO R5-2015-0003-02 is amended as shown in underline/strikeout format in Attachment I and the compliance schedule for total coliform organisms is extended to 1 June 2019 to allow time for construction of the compliance project. This Order is effective upon adoption.

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.

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 April 2018**.

PAMELA C. CREEDON, Executive Officer

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