

North Coast Regional Water Quality Control Board

**ORDER R1-2014-0003
WDID No. 1B800510MEN**

**WASTE DISCHARGE REQUIREMENTS
AND
TERMINATION OF NPDES PERMIT No. CA0005843
FOR THE
MENDOCINO FOREST PRODUCTS, LLC
UKIAH SAWMILL**

MENDOCINO COUNTY

The following Permittee is subject to waste discharge requirements (WDRs) set forth in this Order:

Table 1. Permittee Information

Permittee	Mendocino Forest Products, LLC
Name of Facility	Ukiah Sawmill
Facility Address	Box 120, 850 Kunzler Ranch Road
	Ukiah, CA 95482
	Mendocino County
Type of Facility	Sawmill and Planing Mill (SIC Code 2421) Log Storage and Handling (SIC Code 2411)

Table 2. Discharge Locations

Discharge Point	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
002	Boiler blow down to leachfields	39.18642°	-123.20189°	Groundwater
003	Recirculation pond land discharge	39.18731°	-123.20470°	Groundwater

IT IS HEREBY ORDERED, that Waste Discharge Requirements (WDRs) Order No. R1-2002-0086, Monitoring and Reporting Program (MRP) No. R1-2002-0086, and NPDES Permit No. CA0005843 are terminated upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the California Water Code (Water Code) (commencing with section 13000) and regulations and guidelines adopted thereunder, the Permittee shall comply with the requirements of this Order. This action in no way prevents the North Coast Regional Water Quality

Control Board (Regional Water Board) from taking enforcement action for past violations of the previous permit.

I, Matthias St. John, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, North Coast Region, on June 19, 2014.

Original Signed By David Leland For

Matthias St. John, Executive Officer

14_0003_WDR_MFP_Permit

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I. FACILITY INFORMATION

Information describing the Ukiah Sawmill (Facility) is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment D). Section I of the Fact Sheet also includes information regarding the Facility's permit application.

II. FINDINGS

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board) finds:

A. Basis and Rationale for Requirements

The Regional Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment D), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through C are also incorporated into this Order.

B. Background and Facility Description

Mendocino Forest Products, LLC (hereinafter the Permittee) owns and operates a sawmill complex in Ukiah, CA directly adjacent to Hensley Creek and the Russian River. The Facility contains a log yard, sawmill, planer mill, lumber storage, treating facility, fence board facility, and vehicle maintenance shop which support lumber manufacturing, treatment, and storage operations. Storm water runoff from portions of the site, including the log deck, enters the Log Deck Pond and is co-mingled with wet decking process flow. Storm water runoff flows co-mingled with process water are described as process water for purposes of this Order. Wet decking process water discharges to land via an unlined ditch and subsequent Log Deck Pond. Overflow from the Log Deck Pond discharges to adjacent land owned by the Permittee during large storm events. Boiler blowdown is discharged to a septic tank/leachfield system onsite. Domestic wastewater discharges to septic tank/leachfield systems onsite and are not covered under this order.

C. Notification of Interested Parties

The Regional Water Board has notified the Permittee and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet.

D. Consideration of Public Comment

The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet.

III. DISCHARGE PROHIBITIONS

- A.** The discharge of any waste not disclosed by the Permittee or not within the reasonable contemplation of the Regional Water Board is prohibited.
- B.** Creation of a pollution, contamination, or nuisance, as defined by section 13050 of the Water Code is prohibited.
- C.** The discharge of domestic waste, treated or untreated, to surface waters is prohibited.
- D.** The discharge of waste at any point not described in Finding II.B or authorized by any State Water Board or other Regional Water Board permit is prohibited.

- E. The discharge of wood treatment chemicals or stain control fungicides to surface water or groundwater is prohibited.
- F. The discharge of process water from the Facility to the Russian River and its tributaries is prohibited.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations

This permit may be reopened per General Provision VI.N.1 to establish effluent limitations based on the results of the Groundwater Impact Special Study required in General Provision VI.O.1 or other available data.

B. Land Discharge Specifications

This permit may be reopened per General Provision VI.N.1 to establish land discharge specifications based on the results of the Groundwater Impact Special Study required in General Provision VI.O.1 or other available data.

V. RECEIVING WATER LIMITATIONS

Receiving water limitations are based on water quality objectives contained in the Basin Plan and are required to be addressed as part of this Order. However, a receiving water condition not in conformance with the limitation is not necessarily a violation of this Order. Compliance with receiving water limitations shall be measured at monitoring locations described in the MRP (Attachment C). The Regional Water Board may require an investigation to determine cause and culpability prior to asserting a violation has occurred.

A. Groundwater Limitations

1. The collection, treatment, storage, and disposal of wastewater shall not cause a statistically significant degradation of groundwater quality unless a technical evaluation is performed that demonstrates that any degradation that could reasonably be expected to occur, after implementation of all regulatory requirements (e.g., title 27) and reasonable best management practices (BMPs), will not violate groundwater quality objectives or cause impacts to beneficial uses of groundwater.
2. The collection, treatment, storage, and disposal of treated wastewater shall not cause alterations of groundwater that result in chemical concentrations in groundwater in excess of limits specified in title 22, division 4, chapter 15, article 4, sections 64431 (Tables 2 and 3) and 64444, and the Basin Plan.
3. The collection, treatment, storage and disposal of the treated wastewater shall not cause levels of radionuclides in groundwater in excess of the limits specified in title 22, division 4, chapter 15, article 5, section 64443 of the CCR.
4. The collection, treatment, storage, and disposal of wastewater or recycled water shall not cause groundwater to contain taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.

VI. GENERAL PROVISIONS

Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this Facility, may subject the Permittee to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Permittee to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities. The Permittee shall comply with the

following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:

A. Availability

A copy of this Order and the associated Monitoring and Reporting Program shall be maintained at the Facility and be available at all times to operating personnel.

B. Enforcement

The Permittee shall implement the project as described in this Order. Violation of any requirements contained in this Order subject the Permittee to enforcement action, including civil liability, under the Water Code.

C. Severability

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.

D. Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Permittee only when necessary to achieve compliance with the conditions of this Order.

1. This Order requires that the Permittee, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with this Order. Proper operation and maintenance includes adequate laboratory quality control and appropriate quality assurance procedures.
2. The Permittee shall maintain an updated Operation and Maintenance (O&M) Manual for the Facility. The Permittee shall update the O&M Manual, as necessary, to conform to changes in operation and maintenance of the Facility. The O&M Manual shall be readily available to operating personnel onsite and for review by state or federal inspectors. The O&M Manual shall include the following:
 - a. Description of the Facility's organizational structure showing the number of employees, duties and qualifications and plant attendance schedules (daily, weekends and holidays, part-time, etc.). The description should include documentation that the personnel are knowledgeable and qualified to operate the treatment Facility so as to achieve the required level of treatment at all times.
 - b. Detailed description of safe and effective operation and maintenance of treatment processes, process control instrumentation and equipment.
 - i. Description of laboratory and quality assurance procedures.
 - ii. Process and equipment inspection and maintenance schedules.
 - iii. Description of safeguards to assure that, should there be reduction, loss, or failure of electric power, the Permittee will be able to comply with requirements of this Order.

- iv. Description of preventive (fail-safe) and contingency (response and cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. These plans shall identify the possible sources (such as loading and storage areas, power outage, waste treatment unit failure, process equipment failure, tank and piping failure) of accidental discharges, untreated or partially treated waste bypass, and polluted drainage.

c. Pond Operating Requirements

- i. Public contact with Process Water shall be precluded through such means as fences, signs, and other acceptable alternatives.
- ii. Ponds shall be managed to prevent breeding of mosquitoes. In particular,
 - (a) An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
 - (b) Weeds shall be minimized, and
 - (c) Vegetation, debris, and dead algae shall not accumulate on the water surface.

E. Change in Discharge

The Permittee shall promptly report to the Regional Water Board any material change in the character, location, or volume of the discharge. New ponds associated with the treatment and or storage of wastewater or treated effluent shall be constructed in a manner that protects groundwater. The Permittee shall submit design proposals for new wastewater or Process Water storage ponds to the Regional Water Board Executive Officer for review prior to construction and demonstrate that the pond complies with the Water Code and title 27 of the California Code of Regulations. Pond design and operation plans must include features and best management practices (BMPs) to protect groundwater and prevent exceedances of groundwater quality objectives.

F. Change in Ownership

In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Permittee, the Permittee shall notify the succeeding owner or operator of existence of this Order, and the status of the Permittee's annual fee account; a copy of which shall be forwarded to the Regional Water Board.

G. Vested Rights

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Permittee from liability under federal, state, or local laws, nor create a vested right for the Permittee to continue the waste discharge.

H. Monitoring and Reporting

The Permittee shall comply with the MRP, and future revisions thereto, in Attachment C as specified by the Regional Water Board Executive Officer. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Public Health and shall conform to State Department of Public Health guidelines. The Permittee shall comply with the MRP in Attachment C of this Order and any future revisions thereto.

I. Records Retention

The Permittee shall maintain records of all monitoring information, including calibration and maintenance records and all strip charts recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the

application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer

J. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, State Water Board shall be signed by a responsible corporate officer. All permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or U.S. EPA shall be signed by a duly authorized representative provided:
 - a. The authorization is made in writing by a person described in paragraph (a) of this provision;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the entity; and
 - c. The written authorization is submitted to the Regional Water Board prior to or together with any reports, information, or applications signed by the authorized representative.
3. Any person signing a document under paragraph (a) or (b) of this provision shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

K. Inspections

The Permittee shall provide authorized staff of the Regional Water Board the following:

1. Entrance to the premises in which treatment, collection or management of waste occurs, where an effluent source is located or in which any records required by this Order are kept;

2. Access to inspect and copy any monitoring equipment or records required for compliance with terms and conditions of this Order; and
3. Access to sample any discharge or monitoring location associated with the WWTF

L. Noncompliance

In the event the Permittee does not comply or will be unable to comply for any reason, with any prohibition, interim or final effluent limitation, land discharge specification, reclamation specification, other specification, or receiving water limitation or provision of this Order that may result in a significant threat to human health or the environment, such as inundation of treatment components, breach of pond containment, or equivalent release that results in a discharge to a drainage channel or a surface water, the Permittee shall notify Regional Water Board staff within 24 hours of having knowledge of such noncompliance. Spill notification and reporting shall be conducted in accordance with section V.E. of Attachment D and X.E. of the Monitoring and Reporting Program.

As soon as possible, but no later than twenty-four (24) hours after becoming aware of a discharge to a drainage channel or a surface water, the Permittee shall submit to the Regional Water Board a written certification that the State Office of Emergency Services and the local health officer or directors of environmental health with jurisdiction over the affected water body have been notified of the discharge. Written documentation of the circumstances of the spill event shall be submitted to the Regional Water Board within five (5) days, unless the Regional Water Board waives the confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and to prevent recurrence, including, where applicable, a schedule of implementation. Other types of noncompliance require written notification, as described above, at the time of the normal monitoring report.

M. Revision of Requirements

The Regional Water Board will review this Order periodically and may revise requirements when necessary.

N. Reopener Provisions

1. **Reasonable Potential.** This Order may be reopened for modification to include an effluent limitation, if monitoring establishes that the discharge causes, or has the reasonable potential to cause or contribute to, an excursion above a water quality criterion or objective applicable to the receiving water.
2. **Salt and Nutrient Management Plans (SNMPs).** The Recycled Water Policy adopted by the State Water Board on February 3, 2009, and effective May 14, 2009, recognizes the fact that some groundwater basins in the state contain salts and nutrients that exceed or threaten to exceed water quality objectives in the applicable Basin Plans, and that not all Basin Plans include adequate implementation procedures for achieving or ensuring compliance with the water quality objectives for salt or nutrients. The Recycled Water Policy finds that the appropriate way to address salt and nutrient issues is through the development of regional or subregional SNMPs rather than through imposing requirements solely on individual recycled water projects. This Order may be reopened to incorporate provisions consistent with any SNMP(s) adopted by the Regional Water Board.

O. Special Studies, Technical Reports and Additional Monitoring Requirements

1. **Groundwater Impact Study.** The Permittee shall study the impacts to groundwaters from onsite discharges of waste to land, including from the boiler operations and the log deck sprinkling recirculation pond to assure compliance with the Anti-Degradation Policy and Water Quality Objectives for Groundwaters contained in the Basin Plan. The Permittee shall

develop and submit a Work Plan for conducting the study by **August 1, 2014**, subject to concurrence by the Regional Water Board Executive Officer. The study shall be performed by **August 1, 2015**, and the results of the study shall be submitted to the Regional Water Board by **October 1, 2015**.

2. **Storm Water.** For the control of storm water discharge from the site of the wastewater treatment Facility, the Permittee shall seek separate authorization to discharge under the requirements of the State Water Board's Water Quality Order No. 97-03-DWQ, NPDES General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities (or subsequent renewed versions of the NPDES General Permit CAS000001), which is not incorporated by reference in this Order
3. **Solids Disposal and Handling Requirements**
 - a. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in a proper manner approved by the Executive Officer and consistent with the Consolidated Regulations for treatment, storage, Processing, or Disposal of Solid Waste, as set forth in California Code of Regulations, title 27, section 20005, et seq. (i.e. at a solid waste facility for which waste discharge requirements have been prescribed by a Regional Water Board). For purposes of this provision:
 - i. "Woodwaste" includes bark, rock, and/or soil from the surface or perimeter of a log deck.
 - ii. "Waste Piles" include windrows, fills, or dikes of woodwaste wherein visually identifiable material of woody origin may be found at depths greater than one foot below the surface.
 - iii. "Waste Storage" occurs whenever a waste pile remains on the property more than 180 days.
 - iv. "Waste Treatment" includes burning of waste piles.
 - b. The storage of pond sediments shall be done in a manner to prevent nuisance, pollution or impairment of beneficial uses of Hensley Creek.
 - c. Any proposed change in pond sediment or sludge disposal or storage practices shall be reported to the Executive Officer at least 90 days in advance of the change.

VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in section IV of this Order will be determined as specified below.

A. Average Monthly Effluent Limitation (AMEL)

If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Permittee will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Permittee will be considered out of compliance for that calendar month. The Permittee will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

B. Average Weekly Effluent Limitation (AWEL)

If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a calendar week exceeds the AWEL for a given parameter, this will represent a single violation, though the Permittee will be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Permittee will be considered out of compliance for that calendar week. The Permittee will only be considered out of compliance for days when the discharge occurs. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

C. Maximum Daily Effluent Limitation (MDEL)

If a daily discharge (or when applicable, the median determined by subsection B, above, for multiple sample data of a daily discharge) exceeds the MDEL for a given parameter, the Permittee will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

D. Instantaneous Minimum Effluent Limitation

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, the Permittee will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

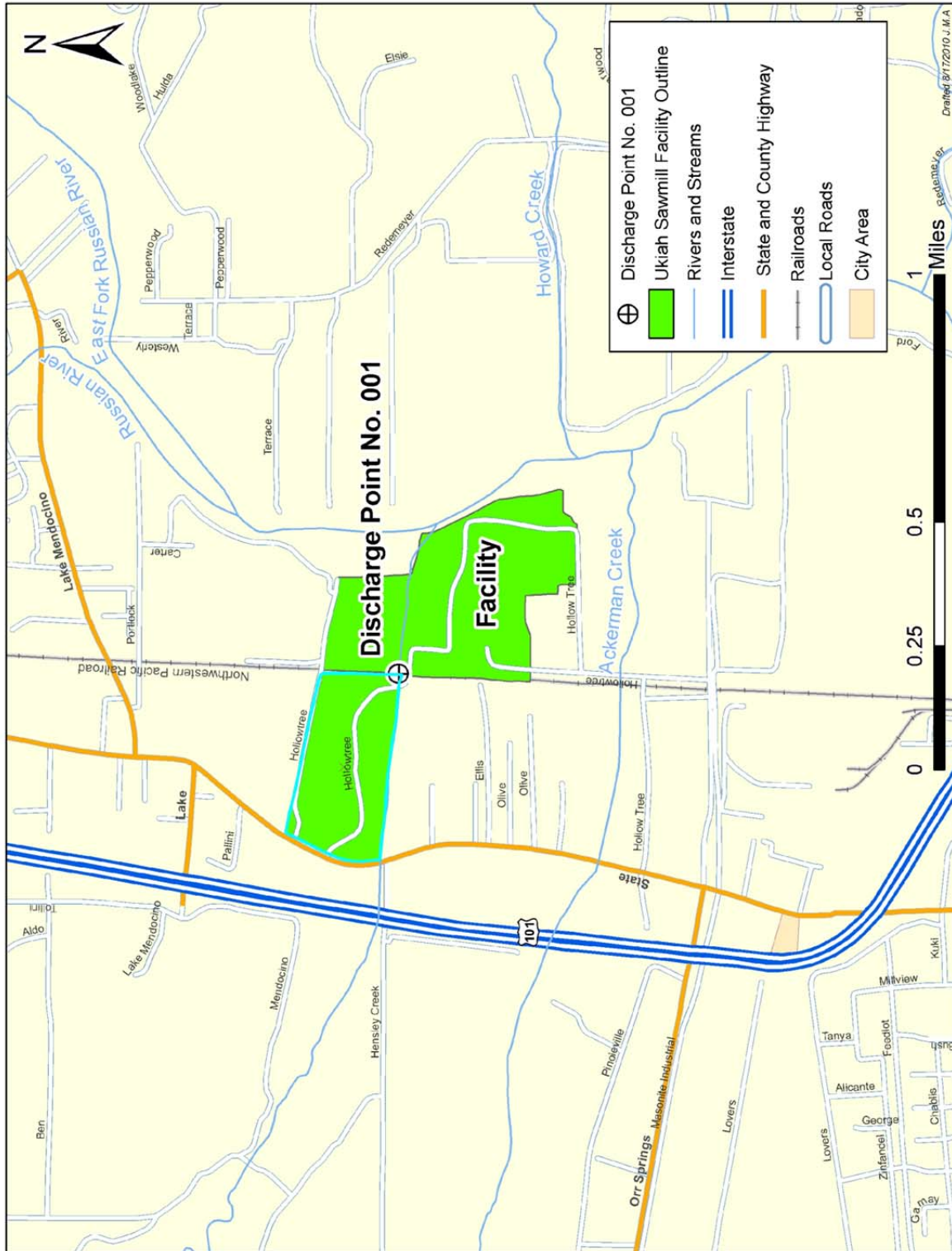
If the Permittee monitors pH continuously, pursuant to 40 CFR 401.17, the Permittee shall be in compliance with the pH limitation specified herein provided that both of the following conditions are satisfied: (1) the total time during which the pH values are outside the required range of pH values shall not exceed 7 hours and 26 minutes in any calendar month; and (2) no individual excursion from the range of pH values shall exceed 60 minutes.

E. Instantaneous Maximum Effluent Limitation

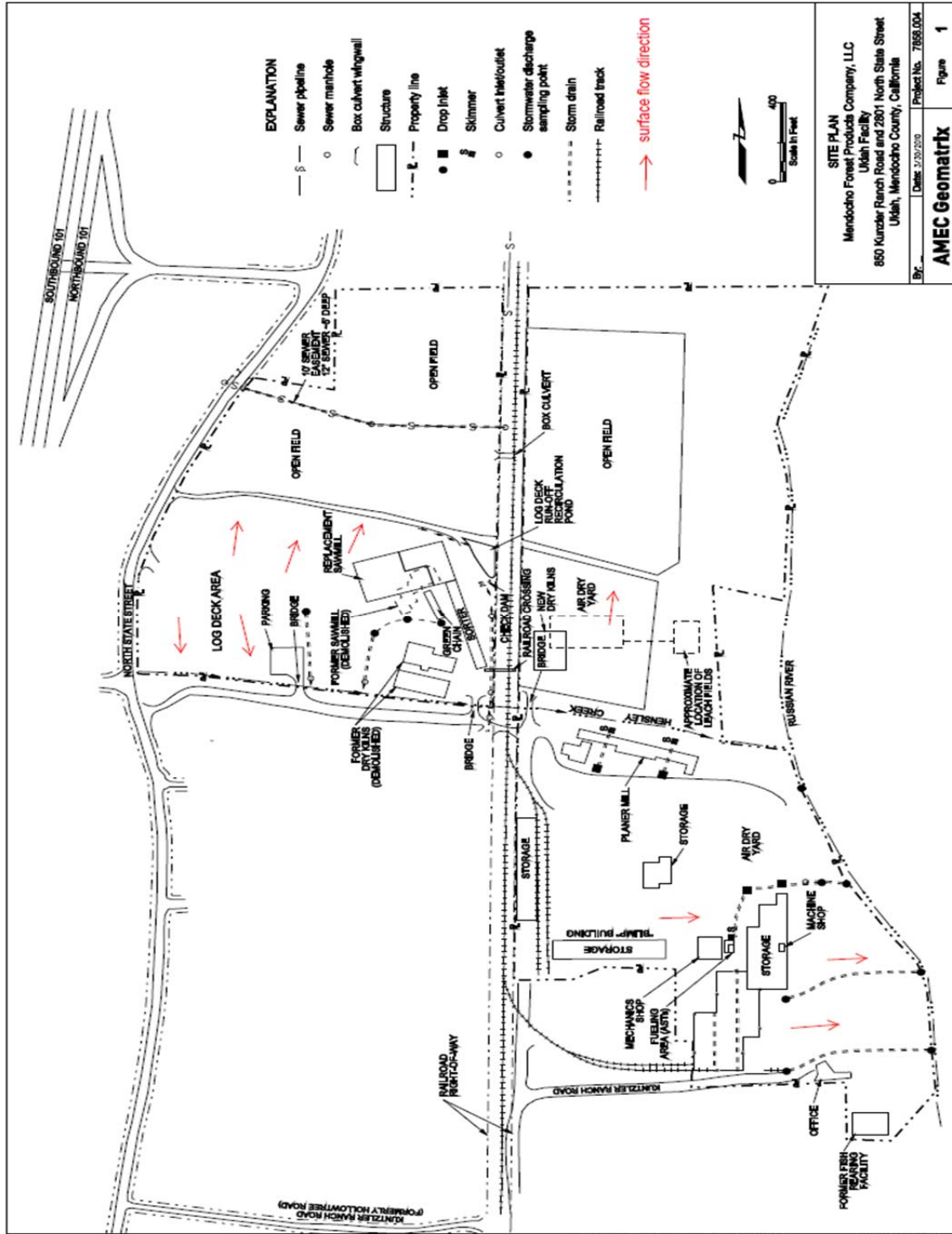
If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, the Permittee will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

If the Permittee monitors pH continuously, pursuant to 40 CFR 401.17, the Permittee shall be in compliance with the pH limitation specified herein provided that both of the following conditions are satisfied: (1) the total time during which the pH values are outside the required range of pH values shall not exceed 7 hours and 26 minutes in any calendar month; and (2) no individual excursion from the range of pH values shall exceed 60 minutes.

ATTACHMENT A - FACILITY MAP



ATTACHMENT B - FLOW SCHEMATIC



ATTACHMENT C – MONITORING AND REPORTING PROGRAM

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ATTACHMENT C – MONITORING AND REPORTING PROGRAM (MRP)

California Water Code sections 13267 and 13383 authorize the Regional Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements that implement California regulations.

I. GENERAL MONITORING PROVISIONS

- A.** Composite samples may be taken by a proportional sampling device approved by the Executive Officer or by grab samples composited in proportion to flow. In compositing grab samples, the sampling interval shall not exceed one hour.
- B.** If the Permittee monitors any pollutant more frequently than required by this Order, using test procedures specified in this Order, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the monthly and annual self-monitoring reports.
- C.** Laboratories analyzing monitoring samples shall be certified by the Department of Public Health (DPH), in accordance with the provision of Water Code section 13176, and must include quality assurance/quality control data with their reports.
- D.** All monitoring instruments and devices used by the Permittee to fulfill the prescribed monitoring program shall be properly installed, calibrated, operated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device.
- E.** Compliance and reasonable potential monitoring analyses shall be conducted using commercially available and reasonably achievable detection limits that are lower than the applicable effluent limitation. If no ML value is below the effluent limitations, the lowest ML shall be selected as the RL.
- F.** The Permittee shall develop, maintain and adhere to a standard operating procedure that follows the appropriate Standard Method for any sampling analysis performed by the Permittee for compliance with this order or MRP. Common examples of such analyses include flow, pH, chlorine residual and dissolved oxygen because the holding times for these analyses are sufficiently short that Permittees often perform the analyses on-site or in the field. Any standard operating procedure kept for such analyses shall include, at a minimum:
 - 1.** Instrument calibration protocols and a log of such calibrations; and
 - 2.** Staff training procedures and a log of such trainings; and
 - 3.** A procedure for taking multiple readings of the same sample for data quality assurance.

II. MONITORING LOCATIONS

The Permittee shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

Table C-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
002	LND-001	Boiler blowdown wastewater discharge to groundwater. Latitude: 39.18642 Longitude: -123.20190
003	LND-002	Wet decking process wastewater discharge to groundwater from the recirculation pond. Latitude: 39.18731 Longitude: -123.20470

The north latitude and west longitude information in Table C-1 are approximate for administrative purposes.

III. INFLUENT MONITORING REQUIREMENTS

Influent monitoring requirements may be established for land discharges in future permits based on the results of the Groundwater Impact Special Study required by section VI.O.1 of this Order.

IV. EFFLUENT MONITORING REQUIREMENTS

Effluent monitoring requirements may be established for land discharges in future permits based on the results of the Groundwater Impact Special Study required by section VI.O.1 of this Order.

V. LAND DISCHARGE MONITORING REQUIREMENTS

Monitoring requirements may be established for land discharges in future permits based on the results of the Groundwater Impact Special Study required by this Order.

VI. OTHER MONITORING REQUIREMENTS

A Groundwater Impact Special Study is required by section VI.O.1 of this Order.

VII. REPORTING REQUIREMENTS

A. Self-Monitoring Reports (SMRs)

1. Effective June 2, 2014, all regulatory documents, data, correspondence, or other materials should be submitted to the Regional Water Board via e-mail to NorthCoast@waterboards.ca.gov or on disk (CD or DVD) in a Portable Document Format (PDF) file in lieu of paper-sourced documents. The guidelines for electronic submittal of documents can be found on the Regional Water Board website at <http://www.waterboards.ca.gov/northcoast>.
2. The Permittee shall submit monthly SMRs including the results for all monitoring specified in this MRP. If the Permittee monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.
3. All monitoring results reported shall be supported by the inclusion of the complete analytical report from the laboratory that conducted the analyses.
4. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table C-2. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
Continuous	June 19, 2014	All	Submit with monthly SMR
Hourly	June 19, 2014	Hourly	Submit with monthly SMR
Daily	June 19, 2014	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with monthly SMR
Weekly	June 19, 2014	Sunday through Saturday	Submit with monthly SMR
Monthly	June 19, 2014	1 st day of calendar month through last day of calendar month	Submit with monthly SMR
Quarterly	June 19, 2014	January 1 through March 31 April 1 through June 30	Submit with monthly SMR

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
		July 1 through September 30 October 1 through December 31	
Semiannually	June 19, 2014	January 1 through June 30 July 1 through December 31	Submit with monthly SMR
Annually	June 19, 2014	January 1 through December 31	Submit with monthly SMR

5. Reporting Protocols. The Permittee shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in Standard Methods.

The Permittee shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

- a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
 - b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (\pm a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.
 - c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
 - d. Permittees are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Permittee to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.
6. Self-Monitoring Reports. The Permittee shall submit SMRs in accordance with the following requirements:
- a. The Permittee shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the Facility is operating in compliance with interim and/or final effluent limitations. The reported data shall include calculation of all effluent limitations that require averaging, taking of a median, or other computation. The Permittee is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Permittee shall electronically submit the data in a tabular format as an attachment. The Permittee's reports shall clearly identify the Discharge or Distribution Points that were utilized during the monitoring period. During periods when there is no discharge to one more Discharge or Distribution Points, the reports shall certify "No Discharge".
 - b. The Permittee shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify:

shall be provided orally to the Regional Water Board¹ within 24 hours from the time the Permittee becomes aware of the circumstances and a written report shall also be submitted within five (5) working days of the time the Permittee becomes aware of the circumstances.

Information to be provided verbally to the Regional Water Board includes:

- a.** Name and contact information of caller;
- b.** Date, time and location of spill occurrence;
- c.** Estimates of spill volume, rate of flow, and spill duration, if available and reasonably accurate;
- d.** Surface water bodies impacted, if any;
- e.** Cause of spill, if known at the time of the notification;
- f.** Cleanup actions taken or repairs made at the time of the notification; and
- g.** Responding agencies.

¹ The contact number of the Regional Water Board during normal business hours is (707) 576-2220. After normal business hours, spill reporting to CalEMA will satisfy the 24 hour spill reporting requirement for the Regional Water Board. The contact number for spill reporting for the CalEMA is (800) 852-7550.

ATTACHMENT D – FACT SHEET

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ATTACHMENT D – FACT SHEET

As described in section I, the Regional Water Board incorporates this Fact Sheet as findings of the Regional Water Board supporting the issuance of this Order. This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for dischargers in California. Only those sections or subsections of this Order that are specifically identified as “not applicable” have been determined not to apply to this Permittee. Sections or subsections of this Order not specifically identified as “not applicable” are fully applicable to this Permittee.

I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table D-1. Facility Information

WDID	1B80051OMEN
Permittee	Mendocino Forest Products Company, LLC
Name of Facility	Ukiah Sawmill Complex
Facility Address	850 Kunzler Ranch Road
	Ukiah, CA 95482
	Mendocino County
Facility Contact, Title and Phone	Rodger Ferguson, Director – Environmental and Safety, (707) 468-1712
Authorized Person to Sign and Submit Reports	Dean Kerstetter, Vice-President John Crosswhite II, Mill Operations Manager
Mailing Address	Box 120, 850 Kunzler Ranch Road, Ukiah, CA 95482
Billing Address	Box 390, Calpella, CA 95418
Type of Facility	Sawmill (SIC code 2421)
Threat to Water Quality	2
Complexity	B
Pretreatment Program	Not applicable
Recycling Requirements	Not applicable
Watershed	Russian River Hydrologic Unit, Ukiah Hydrologic Subarea
Receiving Water	Groundwater

- A. The Mendocino Forest Products Company, LLC (hereinafter Permittee) is the owner and operator of the Ukiah Sawmill Complex (hereinafter Facility), which has industrial process water discharges to groundwater. For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Permittee herein.
- B. The Facility previously discharged process water to Hensley Creek, a water of the United States, and was previously regulated by Order No. R1-2002-0086, which was adopted on September 26, 2002. The terms and conditions of that Order were automatically continued and remain in effect until these new Waste Discharge Requirements (WDRs) are adopted pursuant to this Order.

Attachment B provides a map of the area around the Facility. Attachment C provides a flow schematic of the Facility.
- C. The Permittee filed a Report of Waste Discharge and submitted an application for renewal of its WDRs and NPDES permit on November 13, 2006. Supplemental information was requested on

August 10, 2010 and received on August 17, 2010. The permit application was deemed complete on August 17, 2010. On January 27, 2014, the Permittee provided comments on the publicly noticed draft Order informing the Regional Water Board that it has installed equipment and controls that would eliminate the surface water discharge. The Permittee requested rescission of the NPDES permit and renewal of its WDRs for discharge of wet decking sprinkle water to land.

II. FACILITY DESCRIPTION

A. Description of Wastewater Treatment and Controls

Log deck watering operations involve pumping municipal water, and groundwater from onsite wells, to a series of sprinklers used to apply moisture to logs. Sprinkler runoff from the log deck is collected and held in a settling pond (the Log Deck Pond) and recirculated back to the sprinkler system for reuse. Historically, the Log Deck Pond would overflow during heavy rain events to Hensley Creek. The Permittee has, however, physically plugged the overflow pipe to Hensley Creek, which has eliminated it as a discharge point. The Log Deck Pond is now operated at a lower level than historic practices, which provides additional capacity for stormwater containment. During substantial storm events, if operational controls are insufficient to prevent discharge from the Log Deck Pond, the pond would overflow to adjacent land owned by the Permittee.

The Facility contains a wood treating system that uses a “spray booth” to apply fungicide to the milled wood. The spray booth is built to capture oversprays and drips; propiconazole, a fungicide used at the Facility, has not been detected in the process water discharge since 2005, suggesting that any possible overspray has been contained or that detections in the process water were caused by operator sample contamination. There is no direct transport pathway for wood treating chemicals to get into process waters and monitoring is required under the Facility’s storm water permit. The wood is treated and allowed to dry under the roof before being packaged and shipped.

Historically, there were eight drying kilns, each with its own boiler. Many have been taken out of service and only one boiler remains operational. Chemicals are added to the boiler water so that scale does not build up on the pipes. Approximately 300 gallons of boiler blowdown water are discharged to a septic system onsite per day when the boiler is operational during the winter months. Domestic wastes from the mill complex discharge to groundwater via separate subsurface septic tank/leach field systems, which are not covered under this Order.

B. Discharge Points and Receiving Waters

1. Wet decking process water discharges to land via an unlined ditch and subsequent Log Deck Pond. Overflow from the Log Deck Pond would discharge to adjacent land owned by the Permittee.
2. Boiler blowdown water is discharged to a septic tank/leachfield system on site just north of the drying kiln and south east of the log deck recirculation pond. The boiler water blowdown occurs continuously at approximately 2-4 gallons per hour and for 15 seconds twice per day during the week and once per day on the weekends. The approximate total volume of boiler blowdown is 300 gallons per day.

C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations contained in Order No. R1-2002-0086 for discharges from Discharge Point No. 001 (Monitoring Location EFF-001) and representative monitoring data from the term of Order No. R1-2002-0086 are as follows:

Table D-2. Historic Effluent Limitations and Monitoring Data

Parameter	Units	Effluent Limitations		Monitoring Data (April 2003 - January 2010)	
		Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
Acute Toxicity	% Survival	--	1	--	5 ² /50 ³
Woody Material	--	--	4	--	--
Turbidity and Sediment	--	--	5	--	1400 ⁶ /0.4 ⁷ /790 ⁸
pH	standard units	--	6.5 – 8.5	--	6.0 – 7.4

1. There shall be no acute toxicity in the effluent. The Permittee will be considered in compliance with this limitation when the survival of aquatic organisms in a 96-hour bioassay of undiluted waste complies with the following:
a. Minimum for any one bioassay: 70 percent survival.
b. Median for any three or more consecutive bioassays: at least 90 percent survival.
2. Represents minimum observed percent survival.
3. Represents minimum observed median percent survival for three or more consecutive bioassays.
4. The discharge of woody material such as heartwood or sapwood, bark, twigs, branches, wood chips, or sawdust that will pass through a 1.0-inch diameter round opening shall be reduced to the maximum extent possible by the implementation of BMPs approved by the Executive Officer.
5. The discharge shall be reduced the amount of turbidity and sediment to the maximum extent practicable by the implementation of BMPs approved by the Executive Officer.
6. Maximum observed turbidity grab sample value.
7. Maximum observed settleable solids grab sample value.
8. Maximum observed TSS grab sample value.

D. Compliance Summary

Between April 2003 and January 2010, the Permittee reported 10 exceedances of their instantaneous minimum effluent limitation for pH. The Permittee also reported three exceedances of the acute toxicity limitation for the minimum percent survival for any one bioassay. Review of the acute toxicity reports indicates that there were two nonreporting violations for 2002 and 2003 and three exceedances of the acute toxicity limitation for the median percent survival for any three or more consecutive bioassays. The chronic toxicity testing indicates consistent chronic toxicity for three different organisms on three different days of discharge. The Regional Water Board has not yet adopted any enforcement actions against the Permittee. Effluent chronic toxicity in the effluent is no longer an issue because the surface water discharge point has been eliminated and the groundwater does not have Beneficial Uses associated with toxicity to aquatic organisms.

E. Planned Changes

The elimination of the historic surface water discharge point 001 is the basis for this Order and the termination of the NPDES permit. The Permittee is currently developing plans to bypass storm water flows prior to commingling with Process Water in the recirculation pond to the Permittee’s undeveloped property north of the log deck. This rerouted discharge, if permitted, would provide additional operational control over the land discharge system. The timing of these planned changes will be further refined upon completion of the Groundwater Impact Special Study.

III. FINDINGS

A. Legal Authorities

This Order serves as WDRs for discharges to land issued pursuant to section 13263 of the California Water Code.

B. California Environmental Quality Act (CEQA)

This action involves the adoption of WDRs for existing discharges of process water and wastewater to land. Because the Regional Water Board is issuing the WDRs for discharges from an existing facility for which no expansion of design flow is being permitted, this project meets the requirements of the categorical exemption pursuant to section 15301 of title 14 of the California Code of Regulations. The permitted process discharge has been occurring, at a minimum, since the Facility was first permitted in the early 1970s.

The previous permit allowed for commingled process water with stormwater to overflow to Hensley Creek during large storm events, but the Permittee has disconnected that discharge point and the associated NPDES discharge permit has been terminated. As a result, the infrequent stormwater flows that would have exceeded the capacity of the recirculation pond will now remain onsite and discharge to land. This discharge is of the same character as the existing and ongoing land discharge to the same location and represents a negligible increase in volume relative to the annual land discharge volume. The project does not involve relaxation of any standard allowing environmental degradation. Accordingly, in addition to the existing facilities exemption, this project is also exempt from CEQA because it can be seen with certainty that there is no possibility that the project will have a significant effect on the environment. (Cal. Code Regs., tit. 14, § 15061, subd. (b)(3).) The Division will file a Notice of Exemption in accordance with the California Code of Regulations, title 14, section 15062 after issuance of this Order.

C. Water Quality Control Plan

The Regional Water Board adopted a *Water Quality Control Plan for the North Coast Region* (hereinafter Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Requirements in this Order implement the Basin Plan. In addition, the Basin Plan implements State Water Board Resolution 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. The Basin Plan establishes beneficial uses for groundwater as Municipal and Domestic Supply (MUN), Industrial Service Supply (IND), Industrial Process Supply (PRO), Agricultural Supply (AGR), and Freshwater Replenishment to Surface Waters (FRSH), Aquaculture (AQUA), and Native American Culture (CUL). Thus, beneficial uses applicable to groundwater are as follows:

Table D-3. Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
--	Groundwater	<u>Existing</u> <ul style="list-style-type: none">• Municipal and Domestic Supply (MUN)• Industrial Service Supply (IND)• Industrial Process Supply (PRO)• Agricultural Supply (AGR)• Freshwater Replenishment (FRSH)

Requirements of this Order implement the Basin Plan.

D. Antidegradation Policy

The State Water Board established California’s antidegradation policy in State Water Board Resolution 68-16. Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Regional Water Board’s Basin Plan

implements, and incorporates by reference, the State antidegradation policy. The permitted discharge must be consistent with the antidegradation provisions of State Water Board Resolution 68-16, Statement of Policy with Respect to Maintaining High Quality of Waters in California. This project consists of the operation or minor alteration of an existing facility which involves minimum change in use beyond that previously existing. The General Provisions section of this Order requires a groundwater monitoring study to ensure that concentrations of discharged pollutants will not adversely impact beneficial uses.

This Order is consistent with the maximum benefit to people of the State because: (i) it allows continued operation of an existing wastewater treatment system; and (ii) it requires monitoring of groundwater impacts from disposal of treated wastewater.

E. California Water Code

The California Water Code (Water Code) establishes the authority for the Regional Water Board to establish water quality objectives, impose discharge prohibitions, and prescribe waste discharge and reclamation requirements. Water Code section 13241 requires each regional board to “establish such water quality objectives in water quality control plans as in its judgment will ensure the reasonable protection of beneficial uses and the prevention of nuisance [...]” The control of pollutants discharged is established through effluent limitations and other requirements in WDR permits. Water Code section 13243 provides that “A regional board, in a water quality control plan or in waste discharge requirements, may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted. Water Code section 13260 et seq establishes regulations associated with the prescription of waste discharge requirements and Water Code Chapter 7 (section 13500 et seq) establishes regulations associated with the prescription of reclamation requirements.

It is the Regional Water Board’s intent that this Order shall ensure attainment of water quality standards, applicable water quality objectives, and protection of beneficial uses of receiving waters. This Order therefore requires the Permittee to comply with all prohibitions, effluent limitations, discharge specifications, reclamation specifications, reclamation provisions and requirements, receiving water limitations, standard provisions, and monitoring and reporting requirements. The Order further prohibits discharges from causing violations of water quality objectives or causing conditions to occur that create a condition of nuisance or water quality impairment in receiving waters as a result of the discharge.

F. California Code of Regulations (CCR)

The discharge authorized herein and the treatment and storage facilities associated with the discharge are exempt from the requirements of title 27, CCR, section 20005 et seq. The exemption, pursuant to section 20090(b) of title 27, allows for the exemption of discharges of wastewater if;

1. The applicable Regional Board has issued WDRs;
2. The discharge is in compliance with the applicable water quality control plan (Basin Plan); and
3. The wastewater does not need to be managed as a hazardous waste.

G. Endangered Species Act

This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097). The Permittee is responsible for meeting all requirements of the applicable Endangered Species Act.

H. Monitoring and Reporting

Water Code sections 13267 and 13383 authorize the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. This Monitoring and Reporting Program is provided in Attachment C. The Executive Officer of the Regional Water Board is delegated the authority to modify the Monitoring and Reporting Program, as determined appropriate to protect water quality.