

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF MAY 28, 2020

Prepared on March 25, 2020

ITEM NUMBER: 8

SUBJECT: **Amendment of Monitoring and Reporting Program for Waste Discharge Requirements Order No. R3-2014-0033, National Pollutant Discharge Elimination System Permit No. CA0049224, for City of San Luis Obispo Water Resource Recovery Facility, San Luis Obispo County**

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KEY INFORMATION

Location:	35 Prado Road, San Luis Obispo
Type of Discharge:	Treated municipal wastewater
Design Capacity:	5.1 million gallons per day
Treatment:	Tertiary sand filtration and chlorine disinfection
Disposal:	Inland surface water discharge to San Luis Obispo Creek
Reclamation:	Irrigation and dust control on properties within city limits
Existing Orders:	Waste Discharge Requirements Order No. R3-2014-0033

ACTION: **Amend Monitoring and Reporting Program Table E-3**

SUMMARY

This staff report provides a brief overview of a proposed amendment to the existing monitoring and reporting program within Waste Discharge Requirements Order No. R3-2014-0033 for the City of San Luis Obispo Water Resource Recovery Facility (Facility). The Facility is owned and operated by the City of San Luis Obispo (Discharger). The proposed amendment would reduce required monitoring frequencies from monthly to annually for trihalomethanes (THMs) while the Discharger completes Facility upgrades to comply with THMs effluent limitations by eliminating the source of their formation during the disinfection process. The proposed amendment is based on new information received that was not available at the time of permit issuance. In light of a recent review of monitoring results for THMs and compliance with the effluent limitations, progress on

Facility upgrades to address the underlying cause of THMs, and the Discharger's overall compliance with monitoring and reporting requirements, staff recommends approval of the proposed change to THMs monitoring frequencies.

DISCUSSION

The Discharger is currently making upgrades to the Facility to come into compliance with permit conditions and effluent limitations contained in Order No. R3-2014-0033. Time Schedule Order (TSO) No. R3-2014-0036 required compliance with final effluent limitations for nitrate and chlorodibromomethane and dichlorobromomethane (THMs) by November 30, 2019. Despite diligent efforts to meet compliance milestones, the Discharger requested additional time to comply with these final effluent limitations due to Facility upgrade schedule delays. The Executive Officer subsequently issued Time Schedule Order No. R3-2019-0124 on November 25, 2019, extending the compliance schedule to March 31, 2020, for THMs and to July 31, 2023, for nitrate. At the time TSO No. R3-2019-0124 was issued, the Discharger was aware that meeting the compliance deadline for THMs would not be possible due to its construction schedule, even though TSO No. R3-2019-0124 provided the maximum allowable additional time of up to five years pursuant to California Water Code section 13885(j)(3)(C)(ii)(II).

Trihalomethanes (THMs), such as chlorodibromomethane and dichlorobromomethane, are byproducts formed during chlorination disinfection in the presence of low levels of dissolved organic material. The Discharger performed bench-scale studies and finalized a THMs minimization plan in 2018, but ultimately decided to upgrade the Facility to use ultraviolet disinfection in lieu of chlorination to prevent the formation of THMs entirely. In the meantime, the Discharger does not have ability to reduce or eliminate the formation of THMs as part of its existing chlorination treatment process.

The Discharger is currently required to monitor effluent for THMs once per month at a minimum, and the Discharger has been diligently meeting those requirements for ten years. In a letter dated June 28, 2019, the Discharger requested a decrease of THMs sampling frequency from monthly to annually. Staff reviewed all available information in response to the Discharger's request. Staff has determined the request is reasonable for the following reasons:

1. The monitoring results have been consistent and monthly THMs data are no longer needed to assess effluent quality while upgrades are completed.
2. The Discharger is making progress on addressing the underlying cause of the THMs formation through disinfection upgrades. The ultraviolet disinfection system is anticipated to be online by October 2021.
3. The mandatory minimum penalties associated with monthly sampling frequency will not provide further motivation to remedy the issue since the Discharger is already in the process of Facility upgrades and is regulated by a time schedule order.
4. The decrease in monitoring frequency does not affect existing effluent limitations.

5. The discharge of treated effluent will continue to be protective of water quality standards, including those for the protection of public health, in the receiving water, San Luis Obispo Creek.

This proposed change was publicly noticed on February 5, 2020, and no comments were received prior to, or after, the March 6, 2020 deadline. The Discharger's existing order expired during the preparation of this item for public comment and Board consideration. The existing order has been administratively extended while staff works on its renewal. The proposed modification would be in effect until the existing order is renewed.

Compliance History

The Discharger has been complying with the existing monthly THMs sampling requirement since June 2010. The results have been consistent during that time and below the interim effluent limitations prescribed in the previous and current TSOs.

CLIMATE CHANGE

The State Water Board's Resolution No. 2017-0012, "Comprehensive Response to Climate Change," requires a proactive response to climate change in all California Water Board actions, with the intent to embed climate change consideration into all programs and activities. The proposed minor amendment to the Discharger's monitoring and reporting program does not contribute to climate impacts nor is it influenced by potential climate change issues.

HUMAN RIGHT TO WATER

On January 26, 2017, the Central Coast Water Board adopted Environmental Justice and the Human Right to Water Resolution No. R3-2017-0004, which adopts the human right to water as a core value and affirms the realization of the human right to water and protecting human health as the Central Coast Water Board's top priorities. Consistent with Resolution No. R3-2017-0004, this proposed amendment acknowledges the City's consistent, demonstrated progress towards completing its planned improvements that will improve wastewater effluent quality and better protect receiving water beneficial uses.

DISADVANTAGED COMMUNITIES

In meeting the objectives of Resolution No. R3-2017-0004, staff has evaluated the disadvantaged community status for the City of San Luis Obispo. The City of San Luis Obispo is the Discharger for the subject Order and is not considered a disadvantaged community. The proposed monitoring frequency change will not contribute to an impact to a disadvantaged community, as the 10-year historical sampling record has a demonstrated consistent quality.

RECOMMENDATION

Approve proposed amended Table E-3 of Order No. R3-2014-0033 Monitoring and Reporting Program.

ATTACHMENT

1. Table E-3 of Order No. R3-2014-0033 Monitoring and Reporting Program (specifically the portion of Table E-3 as shown on page E-5 of existing order), amended to annual (once per year) sample frequency for chlorodibromomethane and dichlorobromomethane.

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