

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2014-0128

RESCISSION OF TIME SCHEDULE ORDER R5-2011-0904
FOR
STALLION SPRINGS COMMUNITY SERVICES DISTRICT
WASTEWATER TREATMENT FACILITY
KERN COUNTY

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

1. The Stallion Springs Community Services District (hereafter Discharger) owns and operates the Wastewater Treatment Facility (Facility). The Facility discharges treated wastewater to Chanac Creek, a water of the United States and tributary to Tejon Creek. The Facility is at 28500 Stallion Springs Drive in Tehachapi.
2. On 12 June 2008, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2008-0091, NPDES Permit CA0080489 that prescribed waste discharge requirements for the Discharger's Facility. Order R5-2008-0091 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 R5-2008-0091 contained an interim effluent limitation for copper and a compliance schedule to comply with the final effluent limitations by 18 May 2010.
4. On 18 May 2010, the Discharger requested additional time beyond the final compliance date to comply with the final effluent limitations for copper. The 18 May 2010 request did not contain the justification necessary to support a time schedule order that provides protection from mandatory minimum penalties. The Central Valley Water Board issued a Notice of Violation on 4 November 2010 requesting the Discharger to provide an infeasibility report and the delinquent correction action plan and engineering treatment feasibility study. On 3 January 2011, the Discharger submitted a *Report on Wastewater Effluent Copper Reduction for Stallion Springs Community Services District* (Copper Reduction Report) to satisfy the 4 November 2010 Notice of Violation. The Copper Reduction Report stated the Discharger was currently injecting ferric chloride into the influent, but the testing did not significantly reduce the effluent copper concentration. The Copper Reduction Report stated further testing was to be conducted by increasing the pH, which was to take an additional month to complete.
5. The Copper Reduction Report indicated that if the iron coprecipitation did not work, the Discharger would optimize the activated sludge process by reducing the mixed liquor suspended solids to reduce the sludge retention time and/or to reduce the pH of the mixed liquor to see if it would encourage the proliferation and dominance of more effective copper

adsorbing organisms. According to the Discharger, these changes to the Facility would take three to six months. If this failed, the Discharger proposed to convert the existing additional secondary clarifier, which was not in use, into a wetlands treatment system. The Discharger stated that this alternative would take an additional two to three years to achieve compliance with the final effluent copper limitations included in Order R5-2008-0091.

6. On 20 June 2011, the Central Valley Water Board's Executive Officer issued Time Schedule Order R5-2011-0904 to provide the Discharger interim copper effluent limitations 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 and maximum daily effluent limitations for copper contained in Order R5-2008-0091. Time Schedule Order R5-2011-0904 set a final compliance deadline of 1 January 2012, or when the Discharger was able to come into compliance with the final effluent limitations for copper, whichever was sooner.
7. Order R5-2008-0091 expired on 12 June 2013 and was administratively continued until the Central Valley Water Board adopted WDRs Order R5-2014-0127, NPDES Permit CA0080489 on 9 October 2014, prescribing new WDRs for the Discharger's Facility. Order R5-2014-0127 establishes new final effluent limitations for copper.
8. Central Valley Water Board staff evaluated the copper data submitted by the Discharger since March 2011 (when the Discharger began using calcium polysulfide). The Discharger reported 34 copper effluent results at Monitoring Location EFF-001A from March 2011 to February 2014. Only one data result (18 µg/L on April 2011) exceeds the copper average monthly effluent limitation (13 µg/L) included in Order R5-2014-0127. In addition, from 1 January 2012 (when the Discharger was required to comply with the final copper effluent limitations in Order R5-2008-0091) to February 2014, the discharger has not exceeded the final copper effluent limitations contained in Order R5-2008-0091. Therefore, the Discharger can immediately comply with the copper effluent limitations contained in Order R5-2014-0127 based upon new information obtained from effluent monitoring data collected, control measures enacted, and facility improvements completed during the term of Order R5-2008-0091.
9. The Discharger has achieved compliance by taking actions to come into compliance with final effluent limitations for copper. Therefore, rescission of Time Schedule Order R5-2011-0904 is appropriate.
10. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to rescind Time Schedule Order R5-2011-0904 and has provided them with an opportunity for a public hearing and an opportunity for them to submit their written views and recommendations.

11. 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).
12. The Central Valley Water Board, in a public meeting, heard and considered all comments and evidence pertaining to this matter.
13. 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 R5-2011-0904 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 10 October 2014.

Original signed by:

PAMELA C. CREEDON, Executive Officer