

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2004-0142

AMENDING CEASE AND DESIST ORDER NO. R5-2004-0029  
NPDES NO. CA0081558

CITY OF MANTECA  
WASTEWATER QUALITY CONTROL FACILITY  
SAN JOAQUIN COUNTY

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

1. On 19 March 2004, the Regional Board adopted Waste Discharge Requirements Order No. R5-2004-0028, NPDES No. CA0081558, prescribing waste discharge requirements for the City of Manteca, City of Lathrop, and Dutra Farms at the Manteca Wastewater Quality Control Facility (WQCF) in San Joaquin County. For the purposes of this Resolution, the City of Manteca is hereafter referred to as "Discharger."  
  
The Discharger owns and operates a wastewater collection, treatment, and disposal system, and provides sewerage service to the City of Manteca and the City of Lathrop. Land disposal of effluent is maximized by discharging effluent at agronomic rates seasonally to existing City-owned property and additional leased property. Excess flow of treated municipal wastewater is discharged to the San Joaquin River.
2. The Regional Board found that the discharge from the WQCF is not able to consistently comply with final effluent limitations for aluminum, ammonia, arsenic, copper, cyanide, iron, manganese, MBAS, nitrate, nitrite, temperature, and electrical conductivity, nor receiving water limitations for temperature or oil and grease. Therefore, pursuant to California Water Code Section 13301, the Regional Board also issued Cease and Desist Order No. R5-2004-0029 on 19 March 2004 with requirements and time schedules to bring the discharge into full compliance with the final effluent and receiving water limitations.
3. The WQCF has historically operated in a non-nitrifying or partial nitrifying mode, which typically produced an effluent with low nitrate concentrations. However, the effluent exhibited elevated levels of ammonia, often at concentrations toxic to aquatic life. When the waste discharge requirements were adopted, the WQCF was still operating in this mode, and the Discharger received interim effluent limits based on the plant performance at that time. Since 1 April 2004, the treatment process was converted to full nitrification mode. As a result, effluent ammonia concentrations have improved while nitrate concentrations have significantly increased. The Discharger is now unable to comply with the established interim effluent nitrate limitation specified in Order No. R5-2004-0029.

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4. Due to this significant change in wastewater treatment, and based upon new water quality information, the Discharger, in a letter dated 19 July 2004, requested that the interim effluent nitrate concentration be modified based upon the current treatment plant performance. This amendment modifies the interim effluent nitrate limitation only, and bases the limitation on nitrate monitoring data collected from 1 April 2004 through 30 June 2004.
5. The action to adopt or amend an NPDES permit is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.), requiring preparation of an environmental impact report or negative declaration in accordance with Section 13389 of the California Water Code.
6. The Regional Board has notified the Discharger and interested agencies and persons of its intent to amend waste discharge requirements for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
7. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.
8. This Order shall amend Cease and Desist Order No. R5-2004-0029, NPDES No. CA0081558, pursuant to Section 402 of the CWA, and amendments thereto, and shall take effect upon the date of hearing, provided EPA has no objections.

**IT IS HEREBY ORDERED** that Order No. R5-2004-0029 is amended solely to change the finding and interim effluent limitation for nitrate. The City of Manteca, its agents, successors and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, shall comply with Amended Order No. R5-2004-0029:

1. Finding No. 5 of Cease and Desist Order No. R5-2004-0029 shall be amended to change the interim effluent limitation information for nitrate as follows:

	Number of Samples	Max. Concentration	Mean Concentration	Standard Deviation	<b>Max. Daily Limitation</b>
Nitrate (mg/l)	11	30.4	24.7	3.01	<b>35</b>

2. Limitation 4 of Cease and Desist Order No. R5-2004-0029 shall be amended to change the interim effluent limitation for nitrate to 35 mg/l (max daily limitation).

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I, THOMAS R. PINKOS, 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 15 October 2004.

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THOMAS R. PINKOS, Executive Officer