

ITEM: 11

SUBJECT: City of Grass Valley, Wastewater Treatment Plant, Nevada County

BOARD ACTION: *Consideration of Cease and Desist Order*

BACKGROUND: The City of Grass Valley (Discharger) owns and operates its municipal wastewater treatment plant (WWTP) that provides service for a population of approximately 12,100. The WWTP also treats unanticipated drainage that has surfaced from an inactive mine tunnel onto the Discharger-owned WWTP property. The Facility, designed for 2.78 mgd of domestic wastewater treatment, provides tertiary treated effluent that is discharged to Wolf Creek, a tributary of the Bear River.

Existing Waste Discharge Requirements (WDR) Order No. R5-2003-0089 and Cease and Desist Order (CDO) No. R5-2003-0090 contain time schedules for the Discharger to comply with effluent limitations by 1 March 2008. The Discharger is currently upgrading the WWTP to add ultraviolet disinfection and a nitrification/denitrification process to achieve compliance with chloroform, cyanide, dibromochloromethane, dichlorobromomethane, and nitrites-plus-nitrates effluent limitations. The Discharger is involved in ongoing litigation with the inactive mine owner, Newmont USA Limited, to resolve issues related to WWTP capacity necessary to treat the aluminum and manganese from the mine tunnel discharge. Additionally, the Discharger is conducting a Water Effect Ratio (WER) study to determine site-specific receiving water criteria for copper and zinc for the upcoming NPDES permit renewal.

The Discharger has submitted a request for extension of the 1 March 2008 compliance date for aluminum, chloroform, copper, cyanide, dibromochloromethane, dichlorobromomethane, manganese, nitrate-plus-nitrites and zinc effluent limitations. The basis for the additional time requested is due to (1) unforeseen State funding delays for the WWTP upgrade project, (2) completion of the WER study for copper and manganese, and (2) ongoing litigation with the inactive mine owner to address heavy metal loading from the mine tunnel discharge to the treatment plant.

The proposed CDO extends the 1 March 2008 compliance schedule for aluminum, chloroform, copper, cyanide, dibromochloromethane, dichlorobromomethane, manganese, nitrate-plus-nitrites and zinc effluent limitations, as included in the existing WDRs and CDO, to 1 March 2010. The existing WDRs expire 1 June 2008 and will be administratively extended until renewed.

Mgmt. Review _____
Legal Review _____
6 December 2007
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