

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2015-XXXX

AMENDING TIME SCHEDULE ORDER NO. R5-2010-0060

SOUTH FEATHER WATER AND POWER AGENCY
MINERS RANCH WATER TREATMENT PLANT
BUTTE COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board or Board) finds:

1. On 27 May 2010, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2010-0059 NPDES Permit No. CA0083143, prescribing waste discharge requirements for South Feather Water and Power Agency (hereinafter Discharger) at the Miners Ranch Water Treatment Plant (hereafter Facility), Butte County.
2. WDRs Order No. R5-2010-0059 included final effluent limitations, in part, for total recoverable aluminum and copper as contained in Effluent Limitations section IV.A.1.a. The Discharger was unable to immediately comply with the new or more stringent final effluent limitations for total recoverable aluminum and copper.
3. WDRs Order No. R5-2010-0059 provided a compliance schedule for meeting new or more stringent final effluent limitations for aluminum and included interim effluent limitations for aluminum in Special Provisions section VI.C.7.a and Effluent Limitations section IV.A.2.a, respectively. Full compliance with final effluent limitations for aluminum was to be achieved within five (5) years from the WDRs Order R5-2010-0059 effective date of 27 May 2010.
4. On 27 May 2010, the Central Valley Water Board adopted Time Schedule Order (TSO) No. R5-2010-0060. The TSO included interim effluent limitations for copper and a time schedule that outlined tasks corresponding with interim compliance dates. Full compliance with final effluent limitations for total recoverable copper was to be achieved within five (5) years from the WDRs Order R5-2010-0059 effective date of 27 May 2010.
5. On 16 February 2015 and 17 February 2015, the Discharger submitted requests for additional time to comply with final aluminum and copper effluent limitations, respectively. The letter outlined measures taken by the Discharger throughout the current permit term in order to comply with WDRs Order No. R5-2010-0059 and TSO No. R5-2010-0060 and provided justification for requesting additional time to comply with final effluent limitations for aluminum and copper. The Discharger has implemented and evaluated initial source control and operational measures to reduce aluminum and copper concentrations in the discharge and has included additional design requirements in an update to the larger

Facility expansion project (*Miners Ranch Water Treatment Plant Improvement Project, 2008*) for achieving compliance with final aluminum and copper effluent limitations. The Discharger completed financial planning to secure funding mechanisms for construction of Facility improvements in 2013 and completed CEQA requirements by January 2014. Preliminary design alternatives have been considered and final engineering design will be completed prior to construction of Facility improvements scheduled to begin in 2016. Additional time is required for the Discharger to complete the Facility expansion project and meet final effluent limitations.

6. The Discharger plans to eliminate Facility discharges to surface water and implement potable reuse of 100% of the filter backwash water by constructing improvements for enhanced mixing, clarification, filtration, disinfection and residuals handling facilities. Construction of two new pretreatment clarification basins, two new filters, new chemical storage and feed equipment, a second washwater basin for decant recycling, and two additional sludge-handling basins are included as part of the project.
7. Immediate compliance with the final effluent limitations for aluminum and copper is not possible or practicable. The Clean Water Act, 40 C.F.R. § 122.47, and Cal. Wat. Code (CWC) § 13300 authorize time schedules for achieving regulatory compliance. This Order amends TSO No. R5-2010-0060 by extending the length of the time schedule for copper and adding interim effluent limitations and a time schedule for aluminum. The time schedule for compliance with the final aluminum effluent limitations does not exceed five years from the effective date of the final effluent limitations for aluminum. In accordance with CWC 13385(j)(3)(C) and following a public hearing, the Central Valley Water Board may adopt a time schedule for compliance with final aluminum effluent limitations not to exceed five years. The amended time schedule for copper does exceed five years from the effective date of the final effluent limitations for copper. In accordance with CWC section 13385(j)(3)(C)(ii)(II) and following a public hearing, the Central Valley Water Board may extend the time schedule for copper for up to an additional five years.
8. Since the time schedule for completion of actions necessary to bring the waste discharge into compliance exceeds one year, the compliance time schedule in the proposed Order (Attachment 1), that amends TSO No. R5-2010-0060, includes interim requirements and dates for achievement for aluminum and copper.
9. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000, et seq.)(CEQA), pursuant to Cal. Wat. Code § 13389, since the adoption or modification of a NPDES permit for an existing source is statutorily exempt and this Order only serves to implement a NPDES permit (*Pacific Water Conditioning Ass'n, Inc. v. City Council of City of Riverside* (1977) 73 Cal.App.3d 546, 555-556.). Issuance of this Order is also exempt from CEQA pursuant to California Code of Regulations, title 14, § 15321(a)(2).

10. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to amend TSO No. R5-2010-0060 for this discharge and has provided them with an opportunity to submit their written views and recommendations.

IT IS HEREBY ORDERED THAT:

TSO No. R5-2010-0060 is amended as shown in underline/strikeout format in Attachment 1 to this Order.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

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 XX July 2015.

PAMELA C. CREEDON, Executive Officer