

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT: Kerry O'Connor
MEETING DATE: August 13, 2025

ITEM: 5A

Delta Diablo, Delta Diablo Wastewater Treatment Plant and Wastewater Collection System, Antioch, Contra Costa County – Reissuance of NPDES Permit

DISCUSSION

This Revised Tentative Order (Appendix A) would reissue the NPDES permit for the Delta Diablo Wastewater Treatment Plant and Wastewater Collection System. Delta Diablo is a California special district that owns and operates the Delta Diablo Wastewater Treatment Plant and Bay Point sanitary sewer system. It provides conveyance services for Pittsburg and Antioch, which own and operate their respective sanitary sewer systems. Delta Diablo provides secondary treatment of about 14 million gallons per day of wastewater, and either discharges to New York Slough or routes the wastewater to its Recycled Water Facility where it provides tertiary treatment.

The Revised Tentative Order would remove the receiving water limitations contained in the previous order that served as backstops for unanticipated circumstances or changes to effluent quality that could affect water quality. This is consistent with the U.S. Supreme Court's ruling in *City and County of San Francisco, California v. Environmental Protection Agency* (2025) 145 S.Ct. 704, which held that, under the Clean Water Act, NPDES permits issued by the U.S. EPA may not include end-result requirements. The Revised Tentative Order does not include additional requirements in lieu of receiving water limits because the proposed effluent limits are sufficient to protect water quality. The Revised Tentative Order would retain provisions that prohibit the treatment of pollutants and the storage and treatment of sludge and biosolids from creating a nuisance. The nuisance provisions would implement state law only and would not be enforceable under the Clean Water Act.

Other significant changes from the previous order include adding Monitoring Location EFF-006, for when Delta Diablo discharges reverse osmosis concentrate alone, and specific effluent limitations for that circumstance. The Revised Tentative Order also includes a provision requiring Delta Diablo to inspect its outfall within the upcoming permit term.

We circulated a tentative order for public review and received comments (Attachment B) from Delta Diablo. Delta Diablo requested some changes as explained in the Response to Comments (Appendix C) and we made those changes. We also made minor editorial and formatting changes. We do not expect this item to be contested at the Board hearing.

APPENDIX

- A. Revised Tentative Order
- B. Comments
- C. Response to Comments

Appendix A

Revised Tentative Order

Appendix B

Comments

For an electronic copy of the comments, please contact Kerry O'Connor via email at Kerry.OConnor@waterboards.ca.gov or at (510) 622-2465.

Appendix C

Response to Comments