

## SUMMARY OF WATER QUALITY ORDER

<b>ORDER NO.</b>	WQO 2009-0003
<b>DATE ADOPTED</b>	May 19, 2009
<b>PETITION TITLE</b>	Petition of <b>ENVIRONMENTAL LAW FOUNDATION AND CALIFORNIA SPORTFISHING PROTECTION ALLIANCE</b>
<b>POPULAR NAME</b> <i>[if applicable]</i>	
<b>REGIONAL BOARD</b>	Central Valley Regional Water Quality Control Board
<b>FILE NO[S]</b>	SWRCB/OCC File A-1846(a) and A-1846(b)

### PRECEDENTIAL DECISION

The City of Tracy owns and operates a wastewater treatment plant with a dry weather design flow of about 7.5 million gallons a day. Wastewater is discharged to Old River, which is a water of the United States, and is part of the Lower Sacramento-San Joaquin River Delta. The Lower delta is listed as impaired for electrical conductivity on the Clean Water Act section 303(d) List.

Petitioners raised a series of objections to the permit issued by the Central Valley Regional Water Quality Control Board for the wastewater treatment plant. The contentions addressed in this order deal with final effluent limitations for electrical conductivity and bis(2-ethylhexyl)phthalate, dilution and the application of mixing zones, chronic ammonia toxicity, and chronic toxicity.

The order remands the permit to the Central Valley Water Board to address several issues. Those concern the final effluent limitations for electrical conductivity, dilution and the application of mixing zones, chronic ammonia toxicity, and chronic toxicity. Unless otherwise indicated, issues not addressed by this order are deemed dismissed.

The order directs the Central Valley Water Board to do four things on remand. It is to amend the permit to include a final effluent limit for electrical conductivity, add a narrative limit for chronic toxicity, re-evaluate the effluent limit for chronic ammonia toxicity, and to define and justify the limits of the mixing zone/dilution credit for protection of human health from priority pollutants.