

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2009-0006

RESCISSION OF CEASE AND DESIST ORDER No. R5-2002-0094
FOR
NEVADA COUNTY SANITATION DISTRICT NO. 1
LAKE WILDWOOD WASTEWATER TREATMENT PLANT
NEVADA COUNTY

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

1. Nevada County Sanitation District No. 1, (hereinafter Discharger) owns and operates the Lake Wildwood Wastewater Treatment Plant (WWTP) which discharges up to 1.12 million gallons per day (mgd) of tertiary-treated wastewater to Deer Creek, a water of the United States, and a tributary to Yuba River.
2. On 7 June 2002, the Regional Water Board adopted Waste Discharge Requirements (WDR) Order No. R5-2002-0093, NPDES No. CA0077828, prescribing waste discharge requirements for the Discharger's Lake Wildwood WWTP. Order No. R5-2002-0093 included effluent limitations for ammonia, nitrate plus nitrite, and nitrite, with which the Discharger could not comply until plant upgrades were completed.
3. Cease and Desist Order (CDO) No. R5-2002-0094 adopted by the Regional Water Board on 7 June 2002, provided a time schedule for the Discharger to comply with the effluent limitations for ammonia, nitrate plus nitrite, and nitrite by 30 April 2007.
4. The Discharger completed the construction of treatment facility upgrades necessary to assure compliance with the effluent limitations. The treatment facility upgrades included the construction of anoxic basins where nitrate is reduced to nitrite and then converted to nitrogen gas and released to the atmosphere. The new treatment facilities were in full operation by 30 April 2007. Monitoring results since completion of the plant upgrades indicate compliance with the effluent limits for ammonia, nitrate plus nitrite, and nitrite.
5. As the Discharger complied with CDO No. R5-2002-0094, rescission of CDO No. R5-2002-0094 is appropriate.
6. The Discharger and interested agencies and persons were notified of the intent to consider rescission of CDO No. R5-2002-0094 and provided an opportunity for public hearing and an opportunity to submit written views and recommendations.
7. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with Title 14, California Code of Regulations, Section 15321.

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8. All comments and evidence pertaining to this matter were heard and considered in a public meeting.
9. Any person adversely affected by this action of the Regional Water Board may petition the State Water Resources Control Board (State Board) to review this action. The petition must be received by the State Board, Office of the Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date in which the action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

IT IS HEREBY ORDERED that Cease and Desist Order No. R5-2002-0094 is rescinded.

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 5 February 2009.

PAMELA C. CREEDON, Executive Officer