

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2008-0119
AMENDING WASTE DISCHARGE REQUIREMENTS
ORDER NO. R5-2003-0065
NPDES NO. CA0078093

DEPARTMENT OF CORRECTIONS AND REHABILITATION
DEUEL VOCATIONAL INSTITUTION
SAN JOAQUIN COUNTY

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

1. On 25 April 2003, the Regional Water Board adopted Waste Discharge Requirements Order No. R5-2003-0065, NPDES No. CA0078093, prescribing waste discharge requirements and monitoring and reporting program for the California Department of Corrections and Rehabilitation, Deuel Vocational Institution, San Joaquin County. For purposes of this Resolution, the California Department of Corrections and Rehabilitation is hereafter referred to as "Discharger."
2. The Discharger owns and operates a wastewater collection, treatment, and disposal system, and provides sewerage service to the Deuel Vocational Institution. The wastewater treatment plant is in Section 20, T2S, R6E, MDB&M, on property owned by the Discharger. The wastewater treatment plant is designed to discharge up to 0.62 million gallons per day (average dry weather flow) of tertiary-level treated wastewater. The USEPA and the Regional Water Board have classified this discharge as a minor discharge. Treated municipal wastewater is discharged into Deuel Drain, a water of the United States, approximately 4 miles east of Tracy, at the point, latitude 37° 45' 02" and longitude 121° 19' 35". Deuel Drain is part of the Sacramento-San Joaquin Delta, and is tributary to Paradise Cut and Old River.
3. To comply with final effluent limitations contained in Order No. R5-2003-0065 (NPDES No. CA0078093), the Discharger is constructing a new drinking water treatment plant and upgrading the existing wastewater treatment plant. To provide time for completion of construction of the new facilities, the Regional Water Board adopted Cease and Desist Order (CDO) No. R5-2003-0066, which was subsequently rescinded on 21 October 2005 and replaced by CDO No. R5-2005-0152. A time schedule for compliance with the final effluent limitations is provided in CDO No. R5-2005-0152, with full compliance required by 1 March 2009.
4. The Discharger received \$77,088,000 in Capital Outlay funds for the design and construction of the new facilities. The construction project for the water treatment plant is currently 70% complete, and projected to be completed by 1 March 2009. State budgetary delays, and unexpected delays created by site-specific dewatering issues, have delayed the construction activities on the wastewater treatment plant. This construction project is 16% complete, and projected to be completed by September 2009.

The Regional Water Board finds that the Discharger has proceeded diligently on this project to the full extent of its abilities, expediting the construction schedule wherever feasible.

5. On 26 June 2008, the Discharger submitted a request to reduce the effluent monitoring frequency for total dissolved solids (TDS) from monthly to semi-annual, and for electrical conductivity (EC) and nitrate from weekly to monthly, until the new Facilities become operational.
6. More frequent sampling for EC, TDS, and nitrate (weekly, monthly) will not produce added information regarding effluent characterization, because the effluent data for these constituents is very consistent. Furthermore, the requested sampling frequencies (monthly, semi-annual) are consistent with other NPDES permits for minor dischargers. Therefore, this Resolution changes the monitoring frequency for TDS from monthly to semi-annual, and for EC and nitrate from weekly to monthly. The sampling frequencies will be re-evaluated when the new facilities come online.
7. The reduction in monitoring frequency complies with sections 402(o)(2) (33 U.S.C. section 1342(o)(2)) and 303(d)(4) (33 U.S.C. section 1313(d)(4)) of the Clean Water Act (CWA) and federal regulations at 40 CFR section 122.44(l) that prohibit backsliding in NPDES permits. The change in effluent monitoring frequency also complies with the antidegradation provisions of CFR Part 131.12, and State Water Resources Control Board Resolution 68-16. Impacts on existing water quality will be insignificant.
8. 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 CWC section 15321 (a)(2), Title 14, of the California Code of Regulations.
9. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to amend waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.
10. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.
11. Any person adversely affected by this action of the Regional Water Board may petition the State Water Resources Control Board to review this action. The petition must be received by the State Water Resources Control Board, Office of the Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date on which this action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order No. R5-2003-0065 (NPDES No. CA0078093) is amended solely to modify the effluent sampling frequency requirements for electrical conductivity, nitrate, and total dissolved solids. Order No. R5-2003-0065 shall be amended as follows:

1. The Monitoring and Reporting Program No. R5-2003-0065, Effluent Monitoring Wastewater Treatment Plant Outfall 001 requirements is amended as follows:

Constituent	Units	Type of Sample	Sampling Frequency
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/month
Total Dissolved Solids	mg/L	Grab	2/year ¹
Nitrate Nitrogen	mg/L	Grab	1/month

¹ Monitoring shall be conducted semi-annually, once during the dry season and once during the wet season.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region, on **31 July 2008**.

PAMELA C. CREEDON, Executive Officer