

ITEM: 8
SUBJECT: El Dorado Irrigation District, Deer Creek Wastewater Treatment Plant, El Dorado County

BOARD ACTION: *Consideration of NPDES Permit Renewal and New Time Schedule Order*

BACKGROUND: El Dorado Irrigation District (Discharger) is the owner and operator of the Deer Creek Wastewater Treatment Plant (Facility). The Discharger provides sewerage service for the community of Cameron Park and the Deer Creek/Motherlode area and serves a population of approximately 20,000. The current residential monthly sewer charge is \$54.79 per unit plus a commodity charge based on water usage.

The Facility includes an activated sludge and advanced secondary biological nutrient removal process, tertiary filtration, and ultraviolet light (UV) disinfection. Existing Waste Discharge Requirements No. R5-2002-0210 (NPDES Permit) regulates up to 3.6 million gallons per day (mgd) of treated effluent discharged to Deer Creek, a tributary of the Consumnes River. Tertiary treated wastewater is discharged when the stream flow-to-effluent flow ratio is less than 20:1. When flow ratio is equal to or greater than 20:1, the discharge is secondary treated wastewater. The proposed NPDES permit contains new and/or more stringent effluent limitations for zinc. A Time Schedule Order, with a compliance schedule and an interim effluent limitation, is also proposed for zinc. Proposed effluent limitations for ammonia and total chlorine residual are based on implementation of the narrative Basin Plan objective. USEPA's National Recommended Ambient Water Quality Criteria for protection of aquatic life is the basis of the interpretation of the narrative objective and the effluent limitation calculations.

ISSUES: The Discharger and the California Sportfishing Protection Alliance (CSPA) submitted public comments regarding the Tentative NPDES permit. The Discharger's concerns have been addressed and there are no remaining issues. The following is a summary of major issues specific to the proposed permit. Further detail on all public comments is included in the corresponding Regional Water Board Staff Response to Comments document.

Settleable Solids - CSPA contends that the proposed Permit contains no Effluent Limitation for settleable solids and is therefore, less stringent than the previous Permit, and is not in accordance with antibacksliding requirements of the Clean Water Act and 40 CFR 122.44 (l)(1). However, new monitoring data demonstrates that there is no reasonable potential for settleable solids. Therefore, effluent limitations and monitoring requirements for are not necessary in the proposed Permit.

Turbidity - The proposed Permit includes turbidity requirements that are equivalent to the turbidity effluent limitations in the previous Permit as UV System Operational Requirement. CSPA contends that this action is contrary to the Antibacksliding requirements of the Clean Water Act and 40 CFR 122.44 (I)(1). Regional Water Board staff does not concur because the operational turbidity requirements in the proposed Permit are equivalent to the former effluent limitations in the previous Permit and there is no backsliding.

Nitrates plus Nitrites - CSPA contends that the proposed Permit contains no Effluent Limitations for Nitrate plus Nitrite and is less stringent than the previous Permit; contrary to the Antibacksliding requirements of the Clean Water Act and 40 CFR 122.44 (I)(1). Regional Water Board staff concurs that reasonable potential exists for nitrates plus nitrites exists and has added a Nitrates plus Nitrates effluent concentration limitation to the proposed Permit. A mass-based effluent limitation has not been added, however, because mass-based limitations because nitrate plus nitrite is not an oxygen demanding substance, and as described in Federal Regulations, can be fully regulated with concentration limits. Review of the Nitrite data revealed there was no reasonable potential for nitrite to exceed water quality standards, therefore, the proposed Permit does not contain effluent limitations for Nitrite.

Increased Flow Rate - CSPA contends that the proposed Permit contains an inadequate antidegradation analysis for an increase in flow from 2.5 mgd to 3.6 mgd. The existing Permit authorizes an increase the regulated flow up to 3.6 mgd. Therefore, the proposed Permit is not allowing an increase in regulated flow and an antidegradation analysis is not necessary.

Oil and Grease - CSPA contends that the proposed Permit does not contain an effluent limitation for oil and grease in violation of the federal antibacksliding requirements. The existing Permit does not contain effluent limitations for oil and grease and new data demonstrates that there is no reasonable potential for oil and grease. Therefore, there is no backsliding. Additionally, the Discharger has an approved pretreatment program in place and has coverage under the State Water Board Order Statewide General WDR for Sanitary Sewer Systems, which requires each enrollee to evaluate its service area to determine whether a Fat, Oil, and Grease control program is needed.

Mgmt. Review _____
Legal Review LTO
4/5 December 2008
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