

ITEM: 13

SUBJECT: Nevada County Sanitation District No. 1 Lake Wildwood Wastewater Treatment Plant-Nevada County

BOARD ACTION: *Consideration of NPDES Permit Renewal, Time Schedule Order and uncontested rescission of Cease and Desist Order No.R5-2002-0094.*

BACKGROUND: Nevada County Sanitation District No. 1 (hereinafter Discharger) is the owner and operator of the Lake Wildwood Wastewater Treatment Plant (hereafter Facility). The Discharger provides sewerage service for the community of Lake Wildwood and Wildwood Estates Subdivisions and serves a population of approximately 7000. The facility average dry weather flow design capacity is 1.12 mgd. Tertiary treated effluent is discharged year-round to Deer Creek, a tributary to the Yuba River.

The Facility includes treatment with anoxic basins, pre-aeration basins, oxidation ditches, clarification, tertiary filtration, and disinfection with chlorine gas and dechlorination with sulfur dioxide. Solids handling processes include sludge thickening followed by centrifuge dewatering.

The Discharger is unable to comply with effluent limitations for dibromochloromethane and dichlorobromomethane. In an Infeasibility Study dated 1 August 2008 the Discharger requested a time schedule until 30 September 2013 to complete construction of a Ultraviolet (UV) disinfection system to replace the use of chlorine and eliminate the formation of dibromochloromethane and dichlorobromomethane. A Time Schedule Order (TSO), providing time schedule and corresponding interim effluent limitations, is proposed.

Cease and Desist Order No. R5-2002-0094 requires the Discharger to comply with effluent limitations by 30 April 2007 for ammonia, nitrate plus nitrite, and nitrite established in NPDES permit R5-2002-0093. The Discharger completed treatment plant upgrades and has complied with the terms of the CDO, therefore, and staff is proposing the Order be rescinded.

The Discharger and the California Sportfishing Protection Alliance (CSPA) submitted comments on the tentative NPDES Permit issued for public review on 12 December 2008. Revisions have been made to the tentative Permit in response to the comments received.

## ISSUES:

The major issues discussed in the public comments are summarized below. Further details on all comments are included in Regional Water Quality Control Board (Regional Water Board) staff Responses to Comments.

Discharge of Secondary Wastewater – CSPA contends that priority pollutants were only sampled while tertiary treatment was being provided and secondary wastewater has not been adequately characterized to insure there is no reasonable potential when secondary wastewater is allowed with a 20:1 dilution. CSPA also states that there may not be adequate disinfection during the discharge of secondary wastewater. Regional Water Board staff also has concerns regarding the implementation of discharging secondary effluent at streamflows exceeding a 20:1 dilution factor, (i.e. the need to establish continuous receiving water flow measurements and the ability of the proposed UV disinfection system to disinfect secondary wastewater). Therefore, Regional Water Board staff is recommending that the provision allowing discharge of secondary treated wastewater with a 20:1 dilution be removed from the permit. The Discharger has added another filter and completed upgrades to the treatment processes and the emergency storage basin. The Discharger has not had to bypass the filters during the term of the previous permit. At the time of agenda preparation the Discharger concurred with Regional Water Board staff's recommendation to remove the provision allowing discharges of secondary wastewater.

Turbidity – The proposed Permit includes an operational requirement for turbidity that is equivalent to the turbidity effluent limitations in the previous Permit. CSPA contends that this action is contrary to the antibacksliding requirements of the Clean Water Act and 40 CFR 122.44 (l)(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.

Settleable Solids – Effluent limitations for settleable solids have been removed from the proposed Permit. CSPA contends that this action is contrary to the antibacksliding requirements of the Clean Water Act and 40 CFR 122.44 (l)(1). Monitoring data for the tertiary wastewater demonstrates that there is no reasonable potential for settleable solids. With the proposed modification to no longer allow the discharge of secondary wastewater, effluent limitations and monitoring requirements for settleable solids are no longer necessary in the proposed Permit and have been removed. A review of the Fact Sheet from the previous Permit indicates the settleable solids limits were not water quality based.

Carbon Tetrachloride, Diquat, and MBAS – CSPA contends that the Permit should contain effluent limitations for carbon tetrachloride, Diquat, and MBAS. Regional Water Board staff is unable to determine if the effluent values for these constituents exceed or have the reasonable potential to exceed water quality objectives. The analytical results in question were based on detected but not quantifiable (DNQ) estimated values or were only detected in one of seven samples collected prior to completion of plant upgrades. In accordance with Section 1.2 of the SIP, the Regional Water Board has discretion to consider whether any data are inappropriate or insufficient for use in implementing the policy. Where Regional Water Board finds the data are insufficient to determine reasonable potential, Section 1.3 of the SIP allows the Regional Water Board to implement monitoring for the constituents. Quarterly monitoring with a reopener is included for the above constituents.

Alpha-BHC, Aldrin, and Gamma BHC – CSPA contends that the Permit should contain effluent limitations for the persistent chlorinated hydrocarbon pesticides Alpha-BHC, Aldrin, and Gamma-BHC (Lindane). Regional Water Board staff determined that there was no reasonable potential for these constituents based on new data submitted by the Discharger. Annual monitoring with a reopener is included for the above chlorinated hydrocarbon pesticides.

Hardness, Copper, and Silver – CSPA contends that the proposed Permit fails to include effluent limitations for copper and silver based on the actual ambient hardness of the surface water. As discussed in the Response to Comments, Regional Water Board staff used the lowest hardness value of the effluent for determining the copper effluent limit and the lowest hardness value of the effluent and highest recorded receiving water hardness for determining the silver effluent limit. This methodology is protective of the receiving water but does not result in reasonable potential or the need for effluent limitations for copper and silver.

RECOMMENDATION: Adopt the proposed order.

Mgmt. Review \_\_\_\_\_  
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