

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

SPECIAL BOARD ORDER R7-2022-0022

AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R7-2021-0005
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT NO. CA0104523 FOR CITY OF BRAWLEY
WASTEWATER TREATMENT PLANT
BRAWLEY – IMPERIAL COUNTY

FINDINGS

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) finds as follows:

A. Background.

1. This Special Order is adopted to revise Waste Discharge Requirements Order R7-2021-0005 (WDRs Order), National Pollutant Discharge Elimination System (NPDES) Permit CA0104523, for the City of Brawley (Discharger) and its Wastewater Treatment Plant (Facility), which is located at 5015 Best Road, Brawley, California 92227.
2. The WDRs Order permits discharge of 5.9 million gallons per day (MGD) of secondary treated wastewater from the Facility to the New River, a water of the United States for purposes of the federal Clean Water Act (CWA). The WDRs Order will expire on June 30, 2026.
3. The Facility is publicly owned treatment works (POTW) that is comprised in relevant part of a wastewater collection, treatment and disposal system, which provides sewerage service to a population of approximately 27,000. The Facility consists of three raw water lift stations, a headworks facility, three wave oxidation Biolac activated sludge treatment units equipped with diffusers that provide extended aeration, three secondary clarifiers, an activated sludge pumping station, an ultraviolet disinfection system, and solar greenhouse sludge drying structures. The Biolac activated sludge treatment system became operational in December 2011.
4. The CWA requires a discharger to implement a pretreatment program if the facility has a treatment capacity greater than 5 MGD and receives pollutants from industrial users which pass through or interfere with the POTW's operation. The Facility has a design treatment capacity of 5.9 MGD (same as the permitted volume under the WDRs Order) and has listed three significant industrial users discharging into the Facility.
5. Section 6.C.5.b (Source Control and Pretreatment Provisions) of the WDRs Order provides the framework for the Facility's pretreatment program (Program). The requirements for this Program are based on the previous

NPDES Permit, as well as title 40 of the Code of Federal Regulations (40 CFR), part 403.

6. On February 26, 2021, the Discharger submitted a statement of basis for acceptance for a minor modification to its Program. Colorado River Basin Water Board staff reviewed the request and issued a letter of denial on April 5, 2021. The Discharger submitted additional information regarding updated methodology on April 28, 2021. Board staff determined that the proposed Program modification was substantial because it increases the maximum allowable industrial loadings (MAIL) for several conventional pollutants of concern including biochemical oxygen demand (BOD), total suspended solids (TSS) and ammonia nitrogen (NH₃-N) as outlined in 40 CFR section 403.18(b)(2). Board staff also determined this substantial Program modification is acceptable and complies with 40 CFR sections 403.9(b), 403.8(b), (f)
7. On February 24, 2022, the Discharger submitted a report including technical documents describing the pretreatment substantial modification to local limits for conventional parameters.
8. The Discharger followed the 40 CFR section 403.11 public notice procedures for the modification of local limits to the Program by publishing a public notice in the Desert Review on April 13, 2021, for 30 days and sending separate notification to interested parties. A public hearing in Brawley took place April 6, 2021, where updates to the original 2013 local limits were discussed and adopted by the City Council.
9. On April 18, 2022, the Colorado River Basin Water Board's Executive Officer accepted the Dischargers substantial Pretreatment Program modification. The total maximum allowable industrial loading (MAIL) allocation available for the conventional local limits were modified to include ammonia at 1,040 lbs/day; BOD at 5,083 lbs/day; and TSS at 5,627 lbs/day, based on a flow of 5.9 MGD.
10. On June 29, 2022, the Discharger also submitted a letter requesting written confirmation to clarify applicable mass-based effluent limitations for bis(2-ethylhexyl) phthalate (BEHP). There are inconsistencies between the mass-based effluent limitations in that Table F-10 *correctly* lists the average monthly and maximum daily mass effluent limitations as 0.29 and 0.59 lbs/day, respectively; whereas Table 4 and Table F-11 *incorrectly* list the average monthly and maximum daily mass limitations as 0.12 and 0.24 lbs/day respectively. The mass based effluent limitations in Table F-10 are correct, and the values listed in Tables 4 and F-11 are incorrect. Tables 4 and F-11 are therefore revised in this Special Order.

11. Pursuant to Water Code sections 13263(e) and 13381, and 40 CFR sections 122.41(f), 122.62, and 124.5, the WDRs Order may be modified, or rescinded and reissued, for cause. The filing of a request by the Discharger for an order modification, rescission and reissuance, or a notification of planned changes or anticipated noncompliance does not stay any order condition. (40 CFR § 122.41(f).) Causes for modification include, but are not limited to, the promulgation of new regulations, modification of land application plans, or modification in sludge use or disposal practices, adoption of new regulations by the Water Boards (including revisions to the Water Quality Control Plan for the Colorado River Basin Region), or to correct technical mistakes or mistaken interpretations of law made in determining permit conditions. (40 CFR §§ 122.62(a), 122.62(a)(15).)
12. This Special Order revises the WDRs Order to correctly list BEHP mass-based effluent limitations, including corrections to Table 4 and Table F-11.
13. The Special Order documents the local limit modification that was approved on April 18, 2022.
14. Pursuant to 40 CFR section 124.10(b) and Water Code section 13167.5, public notice of this draft Special Order must be provided to allow at least thirty (30) days for the public to comment on it, and public notice of a public hearing must also be given at least 30 days before the hearing. The two notices may be combined. These public participation requirements provide stakeholders potentially affected by this action with an opportunity to comment on the proposed revisions.
15. Pursuant to 40 CFR section 124.10(b) and Water Code section 13167.5, the Colorado River Basin Water Board published Public Notice No. 7-22-24 for this proposed Special Order on August 31, 2022.

B. Facility Description.

The Discharger owns and operates a municipal wastewater treatment plant. The total design capacity of the wastewater treatment plant is 5.9 MGD. The plant provides secondary treatment through a Biolac activated sludge treatment system that was brought online in December 2011. The treatment system is comprised of three Biolac activated sludge treatment units equipped with air diffusers, three secondary clarifiers, an activated sludge pumping station, ultraviolet disinfection, and sludge processing facilities. The Discharger has converted one of the inactive primary clarifiers into a sludge thickening unit and the other inactive primary clarifier into a sludge holding tank. Wasted activated sludge is thickened in a sludge thickening unit, dewatered in a centrifuge sludge dewatering unit, and then dried using solar greenhouse sludge drying structure. The Biolac process operates without primary treatment; therefore, no primary

sludge is produced during the treatment process. Wastewater is discharged from Discharge Point 001 to the New River, a water of the United States.

C. California Environmental Quality Act (CEQA).

This action to amend an NPDES permit is exempt from the provisions of Chapter 3 of CEQA (commencing with Section 21100) of Division 13 of the California Public Resources Code in accordance with Water Code section 13389.

D. Notification of Interested Parties.

The Colorado River Basin Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. (See Attachment A of this Special Order regarding Public Participation.)

E. Consideration of Public Comment.

The Colorado River Basin Water Board, in a public hearing, heard and considered all comments pertaining to the discharge.

REVISIONS TO ORDER

IT IS HEREBY ORDERED, that Waste Discharge Requirements Order R7-2021-0005 (WDRs Order) shall be amended according to the enumerated revisions listed below. The Discharger shall continue to comply with the WDRs Order, subject to these revisions.

Revision 1: WDRs Order R7-2021-0005, Table 4 (Effluent Limitations)

For *Bis (2-ethylhexyl) Phthalate* (BEHP), the effluent limitations specified in Table 4 shall be revised as follows: the monthly average limitation shall be *increased* from 0.12 lbs./day to 0.29 lbs./day; and the maximum daily limitation shall be *increased* from 0.24 lbs./day to 0.59 lbs./day. There are no other changes to Table 4.

**Revision 2: Attachment F to WDRs Order R7-2021-0005,
Table F-11 (Summary of Final Effluent Limitations)**

The average monthly and maximum daily effluent limitations specified in Table F-11 shall also be revised to reflect the changes to BEHP effluent limitations in Table 4, as discussed above denoted above. There are no other changes to Table F-11.

Revision 3: WDRs Order R7-2021-0005, § 6.c.5.b(11), p. 18

Add the following footnote (#4) to the bottom of page 18:

Modification of local limits within the Pretreatment Program for the Facility was requested by the Discharger on February 26, 2021. Additional technical documents describing the pretreatment substantial modification to local limits for conventional parameters were submitted on February 24, 2022. The Colorado River Basin Water Board Executive Officer approved the modification on April 18, 2022.

Aside from the superscripted footnote reference (inserted after revised local limits), there are no other changes to this page.

CERTIFICATION

I, Paula Rasmussen, Executive Officer, hereby certify the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on October 11, 2022.

Original Signed By

PAULA RASMUSSEN,
Executive Officer