

Executive Officer's Summary Report  
8:30 a.m., April 26, 2012  
Regional Water Quality Control Board  
David C. Joseph Hearing Room  
5550 Skylane Boulevard, Suite A  
Santa Rosa, California

ITEM: 10

SUBJECT: **Public Hearing** on Order No. R1-2012-0015, to consider adoption of Waste Discharge Requirements for **Town of Scotia Company, LLC, Wastewater Treatment Facility and Eel River Power Cogeneration Plant**, WDID No. 1B83104OHUM, NPDES No. CA0006017, Humboldt County

#### DISCUSSION

The Town of Scotia Company, LLC (TOS) and Eel River Power, LLC (hereinafter collectively referred to as the Dischargers) are currently discharging under Order No. R1-2006-0020 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0006017 adopted on June 29, 2006. The Dischargers submitted a Report of Waste Discharge and applied for a NPDES permit renewal to discharge treated wastewater from TOS Wastewater Treatment Facility (WWTF) and 0.10 million gallons per day (MGD) (excluding once through cooling water) from the Eel River Power, LLC Steam Electric Power Plant.

TOS owns and operates a WWTF. The treatment system consists of screening, grinding, and grit removal, a primary clarifier, a redwood trickling filter, a secondary clarifier, a chlorine contact chamber, three treatment/polishing ponds, and a sludge digester. Wastewater from the WWTF discharges into a storage pond at Discharge Point 012, prior to discharge to the Eel River.

The Eel River Power, LLC generating facility is a wood waste fired power plant with an average generating output of 639 megawatts (MW) per day in three steam-generating boilers. The power plant system consists of two multimedia filters, a reverse osmosis system, three boilers, and two cooling towers. The power plant is fueled using high-moisture redwood which is supplied by a nearby lumber mill and from local logging slash. Filter back flush water is discharged to the storage pond at Discharge Point 013. Steam from the boilers drives turbines, which in turn generate electricity. Boiler blowdown water and cooling tower blowdown water Discharge Points 015 and 014, respectively are combined in a storage tank. The combined boiler blowdown water and cooling tower blowdown water is then used in the rock/wood separator which overflows to a floor drain beneath the separator and discharges to the storage pond at Discharge Point 017. Once through cooling water from Discharge Point 016 of 13.68 MGD accounts for about ninety-nine percent (99%) of the total discharge from the power plant.

Power plant process wastewaters and treated wastewater from the WWTF are discharged to a 20-acre storage pond and combined with storm water runoff from the town of Scotia. During the discharge season (October 1 through May 14), overflow from the storage pond is directed to a final clarifier and discharges to the Eel River at Discharge Point 003. During the non-discharge season (May 15 through September 30), overflow from the storage pond is discharged to a percolation pond adjacent to the Eel River. Pursuant to a June 9, 2011 Water Quality Certification issued by the Regional Water Board pursuant to section 401 of the CWA, discharge of treated wastewater to the constructed percolation pond adjacent to the Eel River is prohibited after December 31, 2013.

Proposed Order No. R1-2012-0015 contains minor changes from the existing permit, Order No. R1-2006-0020 as follows:

1. Discharge Point 017 has been added to evaluate potential water quality associated with the rock/wood separator process;
2. The proposed Order requires plans for regulatory compliance associated with fly and bottom ash;
3. Historic beneficial re-use of treated wastewater will be regulated under recycled water specifications.

A copy of the draft permit and/or information to access the draft on the Regional Water Board website was mailed to the Discharger, interested agencies, and persons. This item was opened for public comment from January 19, 2012 to February 20, 2012. Comments were received from the Dischargers.

After consideration of the public comments, Regional Water Board staff made minor and editorial changes to the draft permit by limiting uses of stored water, extending interim deadlines, and correcting errors identified by the Dischargers. Comments received from the Dischargers during the public comment period included a request, contrary to the original ROWD, to issue separate permits for the two facilities.

Specifically, Eel River Power requested that the Regional Water Board regulate discharges from the power plant under state authority alone rather than federal and state combined requirements for discharges to surface water. Regional Water Board staff considered the request and worked with the Dischargers to develop an agreeable resolution to the request. None was reached.

A copy of the public comments received as well as staffs' responses are attached to the agenda package. Staff was not able to resolve the complex regulatory issues raised by the Discharger's request; however, staff proposes to continue its discussion after this meeting and reach a satisfactory conclusion.

Preliminary Staff  
Recommendation:

Adopt Order No. R1-2012-0015 as proposed.