

ITEM: 12

SUBJECT: El Dorado Irrigation District, El Dorado Hills Wastewater Treatment Plant, El Dorado County

BOARD ACTION: *Consideration of NPDES Permit Renewal (NPDES No.CA0078671)*

BACKGROUND: The El Dorado Irrigation District (Discharger) is the owner and operator of the El Dorado Hills Wastewater Treatment Plant (Facility), serving a population of approximately 40,000. The Facility is currently authorized to discharge up to 4.0 million gallons per day (MGD) of disinfected tertiary treated effluent to Carson Creek, a tributary to the Cosumnes River within the San Joaquin River watershed. The Discharger's primary goal is to provide the Facility's treated effluent as high quality recycled water for landscape irrigation and thus rarely discharges to Carson Creek during the dry season.

The proposed NPDES Permit renewal contains new effluent limitations for individual Persistent Chlorinated Hydrocarbon Pesticides that demonstrate reasonable potential to cause or contribute to an exceedance of water quality criteria, including alpha BHC, Endrin aldehyde, Heptachlor, and Heptachlor epoxide, in-place of the single effluent limitation for the entire group of Persistent Chlorinated Hydrocarbon Pesticides contained in the existing NPDES permit. The renewal also contains new effluent limitations for nitrate plus nitrite. Based on a reasonable potential analysis, the proposed NPDES Permit renewal does not retain existing effluent limitations for bis (2-chloroethyl) ether, carbon tetrachloride, copper, cyanide, dibromochloromethane, dichlorobromomethane, iron, manganese, nitrate, settleable solids, total residual chlorine, total trihalomethanes, and zinc, from the existing permit.

A tentative Time Schedule Order (TSO) was issued for public review, allowing the Discharger additional time to comply with the newly proposed effluent limitations. No public comments were received regarding the tentative TSO. The Discharger, however, can currently comply with all effluent limits in the proposed NPDES permit renewal. Therefore, the tentative TSO is not needed and is not included in the agenda package for consideration of adoption. In conclusion, the proposed NPDES permit renewal rescinds the existing NPDES permit and the existing TSO that is no longer needed.

ISSUES: Public comments on the tentative NPDES Permit were received from the Discharger, the United States Environmental Protection Agency (USEPA), and the Central Valley Clean Water Association (CVCWA).

Staff does not concur with all of the comments and has resolved many of the public comments through subsequent meetings and discussions. Staff has made appropriate changes to the proposed NPDES permit to address comments. The Discharger has communicated to staff that they now support the proposed NPDES Permit.

The following is a summary of the comments on the major permitting issues and the staff responses.

Effluent Limitations for Bis (2-Chloroethyl) Ether. USEPA comments that the effluent limitations for bis (2-chloroethyl) ether included in the existing permit cannot be removed because there is not enough information to determine whether the receiving water (Carson Creek) is an attainment or nonattainment water. Therefore, if the question of attainment or nonattainment cannot be answered, the exceptions to backsliding provided for in the Clean Water Act cannot be applied. Staff does not concur. The proposed permit removes the subject effluent limitations and provides the necessary justification regarding federal backsliding provisions.

Effluent Limitations for Ammonia. CVCWA comments that prescribing ammonia effluent limitations is not supported by adequate findings and does not follow the procedure for determining reasonable potential contained in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (Also referred to as the State Implementation Plan, or SIP). Staff does not concur. The Fact Sheet for the proposed permit includes discussion regarding the need for ammonia effluent limitations due to the adherent nature of domestic wastewater and its acute and chronic toxicity threat to aquatic life.

Ultraviolet Light (UV) Disinfection System Operating Specifications. CVCWA comments that the proposed NPDES Permit is not in compliance with Water Code section 13360 because the UV specifications dictate the manner in which the Discharger must comply with the specifications. Staff does not concur. The proposed permit includes UV disinfection operational specifications in addition to total coliform effluent limits, to assure the wastewater is processed through the proper disinfection process concurrently with meeting final coliform effluent limits. Complying with final Total Coliform effluent limits alone does not ensure protection of public health and public health-related beneficial uses.

Reporting Level (RL) and Compliance Determination for Priority Pollutants. CVCWA comments that the proposed NPDES Permit is inconsistent with the SIP and confusing regarding RLs and compliance determination for priority pollutants. Staff concurs. The proposed permit has been modified to clarify the required reporting levels and compliance in accordance with the SIP.

RECOMMENDATION: Adopt the proposed NPDES Permit Renewal.

Mgmt. Review _____
Legal Review _____

31 January/1 February 2013 Board Meeting
11020 Sun Center Dr. #200
Rancho Cordova, CA 95670