

ITEM: 13

SUBJECT: Mountain House Community Services District, Mountain House Wastewater Treatment Plant, San Joaquin County

BOARD ACTION: *Consideration of NPDES Permit Renewal and Time Schedule Order (NPDES Permit No. CA0084271)*

BACKGROUND: Mountain House Community Service District (District) is the owner and operator of the Mountain House Wastewater Treatment Plant (Facility), which provides sewerage service for the community of Mountain House in San Joaquin County. Tertiary treated municipal wastewater is discharged to Old River, a water of the United States, within the Sacramento-San Joaquin Delta. The United States Environmental Protection Agency and the Central Valley Regional Water Quality Control Board (Central Valley Water Board) have classified this discharge a major discharge. The District has a median household income of \$116,000 and the monthly wastewater user charge for a typical single family dwelling is \$53.

Discharges from the Facility are currently regulated by Waste Discharge Requirements Order R5-2007-0039, issued by the Central Valley Water Board on 4 May 2007. An Order is proposed to renew the NPDES permit. The proposed NPDES permit renewal includes effluent limitations for temperature that the Facility cannot immediately comply. Therefore, a Time Schedule Order is also proposed allowing a time schedule for compliance with final temperature limitations.

ISSUES: Public comments on the tentative NPDES permit were received from the District, the United States Environmental Protection Agency (EPA), Region IX, and the Central Valley Clean Water Association (CVCWA). The following is a summary of the comments on the major permitting issues and staff responses. Detailed comments and staff responses are included in the Staff Response to Comments document included in the agenda package.

Sanitary Sewer Overflows. *The District commented that the proposed Order should not require reporting of sanitary sewer overflows (SSOs), because the operation of the District's wastewater collection system is permitted under the State Water Resources Control Board Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements (WDRs) for Sanitary Sewer Systems, and reporting of sanitary sewer overflows shall be subject to that order's reporting requirements.*

Central Valley Water Board staff concurs and has modified the proposed Order accordingly.

Water Quality-based Effluent Limits for Iron, Manganese, and Aluminum. *USEPA commented that due to concentrations of these metals in the receiving water exceeding the criteria, water quality-based effluent limitations are required per federal regulations.*

Central Valley Water Board staff does not concur. Although the receiving water contains aluminum, iron, and manganese exceeding the Secondary Maximum Contaminant Levles (MCLs), the receiving water is not listed on the 303(d) list as impaired for these constituents, and these constituents are not constituents of concern in the development of the Drinking Water Policy. Additionally, the effluent concentrations are consistently less than the concentrations in the receiving water and below the Secondary MCLs. The discharge is actually lowering the concentrations in the receiving water. Therefore, the discharge does not have reasonable potential to

cause or contribute to an exceedance in the receiving water and the Facility is adequately controlling the discharge of these metals. Water quality-based effluent limitations are not required per federal regulations and clearly unnecessary to protect the beneficial uses of the receiving water.

Compliance Schedule for Mercury. *USEPA commented that the interim compliance schedule milestones are not sufficient to meet the requirements at 40 CFR 122.47 (a) (3), which provides specific examples of interim requirements such as: “(a) submit a complete Step 1 construction grant (for POTWs); (b) let a contract for construction of required facilities; (c) commence construction of required facilities; (d) complete construction of required facilities.” USEPA also comments that the proposed compliance date is not justified.*

Central Valley Water Board staff does not concur. The Delta Mercury Control Program is composed of two phases. Phase 1 emphasizes studies and pilot projects. Phase 2 is the implementation phase of the program. Due to the phased approach, the proposed compliance schedule only includes study-related milestones for the first part of the schedule, with the Phase 2 portion to be determined at the completion of Phase 1. This is consistent with the TMDL. The Delta Mercury Control Program was developed through a long stakeholder process and USEPA staff was heavily involved. USEPA management was supportive of the phased approach, and at the time of adoption of the TMDL stated the compliance schedule provisions complied with federal regulations and the State Water Board’s Compliance Schedule Policy. The requested changes by USEPA would undo the significant collaborative work that was completed in the development of the TMDL.

Ultraviolet Light (UV) Disinfection Specifications. *CVCWA commented that the UV Disinfection Specifications violate Water Code 13360 and that turbidity specifications and total coliform organism effluent limits are sufficient to ensure compliance with the Title 22 disinfected tertiary recycled water requirement.*

Central Valley Water Board staff does not concur. The California Department of Public Health developed the requirements for turbidity and total coliform based on the use of chlorine disinfection. For facilities that utilize UV disinfection, DPH requires compliance with additional specifications to ensure adequate disinfection is provided. These requirements are necessary for UV disinfection systems to ensure the facility adequately disinfects the wastewater to protect public health.

RECOMMENDATION: Adopt NPDES Permit Renewal and Time Schedule Order

Mgmt. Review _____

Legal Review _____

31 January/1 February 2013 Board Meeting
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