



Central Valley Regional Water Quality Control Board

15 December 2021

Aaron Palmer
City Manager
City of Live Oak
9955 Live Oak Boulevard
Live Oak, CA 95953

VIA EMAIL:
apalmer@liveoakcity.org

CERTIFIED MAIL
7020 1810 0002 0569 5598

NOTICE OF APPLICABILITY (NOA) AMMENDMENT; MUNICIPAL GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NOTICE OF APPLICABILITY R5-2017-0085-018, CITY OF LIVE OAK, WASTEWATER TREATMENT PLANT, SUTTER COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) enrolled the City of Live Oak (Discharger) Wastewater Treatment Plant (Facility) under General Order R5-2017-0085-01 for Municipal Wastewater Dischargers That Meet Objectives/Criteria at the Point of Discharge to Surface Water (Municipal General Order) on 30 June 2021. The Facility was assigned Municipal General Order R5-2017-0085-018 and National Pollutant Discharge Elimination System (NPDES) Permit CAG585001, which regulates the discharge of tertiary treated domestic wastewater from the Facility to Reclamation District 777 Lateral Drain No. 2, that is hydrologically connected to the Sutter Bypass via East Interceptor Canal and Wadsworth Canal.

AMENDMENTS

Central Valley Water Board staff reviewed four quarterly three species chronic whole effluent toxicity tests conducted between August 2020 and May 2021 for the Facility. Based on this dataset, chronic toxicity tests did not exceed the one chronic toxicity unit (TUc) trigger with a percent effect greater than 25% in the routine tests for the most sensitive species determination; therefore, a most sensitive species was not able to be determined. Consistent with section V.B.5 of Attachment E (Monitoring and Reporting Program) of the Municipal General Order, NOA R5-2017-0085-018 is amended to establish an annual, calendar year based rotating species chronic toxicity testing schedule.

Appendix D – Monitoring and Reporting Program of the Notice of Applicability is amended to revise Section V.B.4 to the following, remove section V.B.5, and update the subsequent section numbers.

4. **Test Species** – Chronic toxicity testing measures sublethal (e.g., reduced growth, reproduction) and/or lethal effects to test organisms exposed to an effluent compared to that of the control organisms. The Discharger shall conduct chronic toxicity tests with the test species that is determined to be the most sensitive.

DENISE KADARA, ACTING CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

The Discharger conducted quarterly three species chronic toxicity testing over the previous permit term. Based on four quarterly three species chronic whole effluent toxicity tests conducted between August 2020 and May 2021, the chronic toxicity test results for the most sensitive species determination did not exceed the 1 TUc (as 100/NOEC) trigger with a percent effect greater than 25%, and the most sensitive species was not determined. Therefore, consistent with the most sensitive species determination method in section V.B.5 of Attachment E (Monitoring and Reporting Program) of the Municipal General Order, the Executive Officer is requiring the Discharger to rotate the test species every calendar year as follows:

- *Selenastrum capricornutum* (growth test) for the entire calendar year of **2022**;
- *Ceriodaphnia dubia* (larval survival and reproduction) for the entire calendar year of **2023**;
- *Pimephales promelas* (larval survival and growth test) for the entire calendar year of **2024**; and
- Cycling back to *Selenastrum capricornutum* **after** *Pimephales promelas* for the entire calendar year of **2025** and back through the same rotation until the next permit renewal.

If a single test exhibits toxicity, demonstrated by a result greater than 1 TUc (as 100/NOEC) AND a percent effect greater than 25 percent at 100 percent effluent, then the species used in that test shall be established as the most sensitive species until the next NOA renewal.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA amendment, except that if the thirtieth day following the date of this NOA amendment falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Links to the law and regulations applicable to filing petitions may be found

Aaron Palmer
City Manager
City of Live Oak Wastewater Treatment Plant

- 3 -

15 December 2021
NOA Amendment

on the [Petitions Home Page](#)
(https://www.waterboards.ca.gov/public_notices/petitions/water_quality/) or will be
provided upon request.

Patrick Pulupa
Executive Officer

cc:

Elizabeth Sablad, United States Environmental Protection Agency (U.S. EPA), Region
IX, San Francisco (email only)

Peter Kozelka, U.S. EPA, Region IX, San Francisco (email only)

Prasad Gullapalli, U.S. EPA Region IX, San Francisco (email only)

Afroz Farsimadan, California State Water Resources Control Board (email only)

Renan Jauregui, California State Water Resources Control Board (email only)

Jarma Bennett, California State Water Resources Control Board, (email only)

Debbie Webster, Central Valley Clean Water Association, Sacramento (email only)

ICIS NPDES (Sarah Torres), PG Environmental (email only)