

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2013-XXXX

AMENDING TIME SCHEDULE ORDER R5-2010-0029-01

REQUIRING THE CITY OF DAVIS
WASTEWATER TREATMENT PLANT
YOLO COUNTY

TO COMPLY WITH WASTE DISCHARGE REQUIREMENTS ORDER R5-2013-XXXX
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
(NPDES PERMIT CA0079049)

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Central Valley Water Board) finds that:

1. On 25 October 2007, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2007-0132, prescribing waste discharge requirements and compliance time schedules for the City of Davis (Discharger) Wastewater Treatment Plant (Facility), in Yolo County.
2. WDR Order R5-2007-0132 included, in part, final effluent limitations, and a compliance schedule and interim effluent limitations for cyanide and selenium. The compliance schedule required compliance with the final effluent limitations for cyanide and selenium by 18 May 2010.
3. WDR Order R5-2007-0132 was amended on 5 February 2009 as Order R5-2007-0132-01, and again on 23 September 2010 as Order R5-2007-0132-02. WDR Order R5-2007-0132-02 included new final effluent limitations for copper.
4. On 18 March 2010, the Central Valley Water Board adopted Time Schedule Order (TSO) R5-2010-0029 to extend the compliance schedules for cyanide and selenium, contained in WDR Order R5-2007-0132, until 1 February 2015.
5. TSO R5-2010-0029 was amended on 23 September 2010 as TSO R5-2010-0029-01 to include a compliance schedule and interim effluent limitations for the new final effluent limitations for copper included in WDR Order R5-2007-0132-02. The compliance schedule required compliance with the final effluent limitations for copper by 30 September 2014.
6. TSO R5-2010-0029-01 includes, in part, a schedule for achieving compliance with the final effluent limitations for copper, cyanide, and selenium that does not exceed five years.

7. On 4 October 2013, the Central Valley Water Board adopted WDR Order R5-2013-XXXX rescinding WDR Order R5-2007-0132-02 and prescribing renewed WDRs for the Facility. WDR Order R5-2013-XXXX contains, in part, final effluent limitations for aluminum, copper, cyanide, and selenium. The Central Valley Water Board also adopted TSO No. R5-2013-XXX to provide a time schedule and interim limits for aluminum and copper (Discharge Point No. 001 only).
8. This Order amends TSO R5-2010-0029-01 to include reference to WDR Order R5-2013-XXXX and to remove reference to WDR Order R5-2007-0132-02. This Order does not amend the time schedule for completion of intermediate tasks or with the final time schedule to achieve compliance with the final effluent limitations for copper (Discharge Point No. 002 only), cyanide, and selenium. See Attachment A, amended TSO R5-2010-0029-02.
9. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, *et seq.*), in accordance with Section 15321(a)(2), Title 14, California Code of Regulations.
10. On 4 October 2013, in Rancho Cordova, California, after due notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider amending TSO R5-2010-0029-01 under CWC section 13300 to include reference to and to achieve compliance with WDR Order R5-2013-XXXX adopted on 4 October 2013, and to continue protection from mandatory minimum penalties for copper, cyanide, and selenium. Final compliance with WDR Order R5-2013-XXXX for cyanide and selenium remains 1 February 2015, and for copper remains 30 September 2014.

IT IS HEREBY ORDERED THAT pursuant to CWC Section 13300 and 13267, TSO R5-2010-0029-01 is amended as shown in underline/strikeout format in Attachment A.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday (including mandatory furlough days), the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of Order R5-2013-XXXX, adopted by the California Regional Water Quality Control Board, Central Valley Region, on 4 October 2013.

PAMELA C. CREEDON, Executive Officer