California Regional Water Quality Control Board
Santa Ana Region

ORDER NO. R8-2003-0116

Amendment of Order No. R8-2003-0003, NPDES No. CA8000402
Waste Discharge and Producer/User Reclamation Requirements

for

Inland Empire Utilities Agency
Regional Water Recycling Plant No. 5
Chino, San Bernardino County

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter, Board), finds that:

1. On July 1, 2003, the Board adopted Order No. R8-2003-0003, NPDES No. CA8000402, prescribing Waste Discharge and Producer/User Reclamation Requirements for Inland Empire Utilities Agency's (hereinafter, discharger or IEUA) Regional Water Recycling Plant No. 5 (RP-5) for the discharge of tertiary treated wastewater to Chino Creek.

2. RP-5 is currently under construction and will eventually replace IEUA's Regional Water Recycling Plant No. 2 (RP-2). RP-2 is an existing wastewater treatment plant that treats domestic and commercial/industrial wastewater from the Cities of Chino and Chino Hills. RP-2 is regulated under Order No. 01-2, NPDES No. CA0105287 and under Cease and Desist Order (CDO) No. 01-5.

3. Order No. R8-2003-0003 inadvertently rescinded Order No. 01-2 and CDO No. 01-5 at the time of its adoption. On August 22, 2003, the Regional Board reconsidered the adoption of Order No. R8-2003-0003 by adopting Order No. R8-2003-0089. Order No. R8-2003-0089 revised the date of the rescission of Order No. 01-2 and CDO No. 01-5 to December 30, 2003, when RP-5 was expected to begin full operation.

4. On September 24, 2003, IEUA requested extending the rescission date for Order No. 01-2 and CDO No. 01-5 from December 30, 2003 to February 29, 2004 due to unexpected delays in the delivery of electrical panels for the RP-5 pump station and problems with the instrumentation conduit for the pump station. The completion of RP-5 is expected to be delayed by at least two months.

5. In view of the potential for further delays in the implementation of the RP-5 facility, and to avoid further need for revisions of the rescission date of Regional Board Orders governing waste discharges from RP-2, it is appropriate to revise the rescission date of these orders to March 30, 2004, rather than February 29, 2004, as requested by the discharger.

6. In accordance with Water Code Section 13389, amendment of the waste discharge requirements for this discharge is exempt from those provisions of the California Environmental Quality Act contained in Chapter 3 (commencing with Section 21100), Division 13 of the Public Resources Code.

7. The Board has notified the discharger and other interested agencies and persons of its intent to amend the rescission date of Order No. 01-2 and CDO No. 01-5 and has provided them with an opportunity to submit their written views and recommendations.

8. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Order No. R8-2003-0003, NPDES No. CA8000402, is amended and the rescission dates are revised as follows:

1. Order No. R8-2003-0003, change Finding 3., as follows:

    3. To comply with the requirements of CDO No. 01-5, the discharger opted to construct RP-5 at a site not subject to flooding. Once constructed and in operation, the proposed RP-5 will assure compliance with CDO No. 01-5 requirements. This Order rescinds CDO No. 01-5 as of March 30, 2004.

2. Order No. R8-2003-0003, change Finding 4., as follows:

    4. RP-5 is currently under construction to meet the deadline stipulated in CDO No. 01-5. When RP-5 is operational, treated wastewater will no longer be discharged from RP-2 to Chino Creek. This Order rescinds Order No. 01-2 as of March 30, 2004.

3. Order No. R8-2003-0003, change Provision J.3., as follows:

    3. Order No. 01-2 and CDO No. 01-5 are hereby rescinded on March 30, 2004.

4. All other conditions and provisions of Order No. R8-2003-0003 shall remain unchanged.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the forgoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on November 21, 2003.

Gerard J. Thibeault
Executive Officer

California Regional Water Quality Control Board
Santa Ana Region

November 21, 2003

ITEM: *5

SUBJECT: Amendment of Order No. R8-2003-0003, NPDES No. CA8000402, Waste Discharge and Producer/User Water Reclamation Requirements for Inland Empire Utilities Agency – Regional Water Recycling Plant No. 5, Order No. R8-2003-0116.

DISCUSSION:

On July 1, 2003, the Regional Board adopted Order No. R8-2003-0003, NPDES No. CA8000402 prescribing waste discharge and producer/user water reclamation requirements for Inland Empire Utilities Agency – Regional Water Recycling Plant No. 5 for the discharge of tertiary treated wastewater to Chino Creek. The adopted Order rescinded Order No. 01-2 and Cease and Desist Order No. 01-5, applicable to discharges from the Agency's Regional Plant No. 2, as of July 1, 2003.

On August 22, 2003, the Regional Board reconsidered Order No. R8-2003-0003 by adopting Order No. R8-2003-0089. Order No. R8-2003-0089 revised the rescission dates of Order No. 01-2 and Cease and Desist Order No. 01-5 to December 30, 2003.

On September 24, 2003, IEUA informed Regional Board staff that the construction of RP-5, which will replace RP-2, has been delayed for at least two months due to unexpected delays in the delivery of electrical panels for the RP-5 pump station and problems with the instrumentation conduit for the pump station. Therefore, IEUA requested that the rescission dates for CDO No. 01-5 and WDR Order No. 01-2 for RP2 be extended to February 29, 2004.

In view of the potential for further delays in the construction and operation of RP-5, and to avoid further need to amend the rescission dates for the orders applicable to RP-2, staff recommends that Order No. R8-2003-003 be amended to specify March 30, 2004 as the rescission date. This would assure permit coverage for the continued operation of RP-2 until RP-5 is fully operational. Order No. R8-2003-0116 would implement this recommendation.

RECOMMENDATION:

Adopt Order No. R8-2003-0116, as presented.

Comments were solicited from the following agencies:

U.S. Environmental Protection Agency, Permits Issuance Section (WTR-5) - Doug Eberhardt
U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch
U.S. Fish and Wildlife Service, Carlsbad
State Water Resources Control Board, Office of the Chief Counsel - Jorge Leon
State Water Resources Control Board, Division of Water Quality - James Maughan
State Water Resources Control Board, Division of Financial Assistance - Diana Robles
State Department of Water Resources, Glendale
State Department of Fish and Game, Long Beach
State Department of Health Services, San Bernardino
State Department of Health Services, Carpenteria – Jeff Stone
San Bernardino County Department of Public Works – Naresh Varma
San Bernardino County Environmental Health Services – Mike Farell
Orange County Water District - Nira Yamachika
City of Chino - City Manager
City of Chino - Brett Hulstrom
City of Chino Hills - City Manager
Santa Ana River Discharger's Association – Roger Turner
Santa Ana Watershed Project Authority – Joseph Grindstaff
Orange County Coastkeeper
Lawyers for Clean Water
Inland Empire Utilities Agency – Douglas D. Drury

California Regional Water Quality Control Board
Santa Ana Region

Terry Tamminen
Secretary for Environmental Protection

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Arnold Schwarzenegg
Governor

December 8, 2003

Dr. Douglas D. Drury
Executive Manager of Operations
Inland Empire Utilities Agency
P.O. Box 697
Rancho Cucamonga, CA 91729

TRANSMITTAL OF ADOPTED ORDER NO. R8-2003-0116

Dear Dr. Drury:

At the regular Board Meeting held on November 21, 2003, the Regional Board adopted Order No. R8-2003-0116 amending Order No. R8-2003-0003. A certified copy of each order is enclosed for your records.

Sincerely,

BARBARA LAFFOON
Executive Assistant

Enclosure: Adopted Order No. R8-2003-0116

c. State Water Resources Control Board, Division of Water Quality, James Maughan
United States Environmental Protection Agency, WTR 5, Permits Section, Doug Everhardt

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