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STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Tahoe-Truckee )  
Sanitation Agency Petition for Review )  
of California Regional Water Quality )  
Control Board, Lahontan Region, Order )  
No. 6-77-27; Alpine Springs County )  
Water District Petitions for Review of )  
California Regional Water Quality Control )  
Board, Lahontan Region, Orders Nos. 6-77-27 )  
and 6-76-7; and Alpine Meadows of Tahoe, Inc., )  
Petition to Intervene in the Alpine Springs )  
County Water District Petitions; and Squaw )  
Valley County Water District Request for )  
Increased Capacity in the Tahoe-Truckee )  
Sanitation Agency Regional Treatment Plant. )  
Files Nos. A-172, A-171, A-132 and A-191, )  
respectively. )

Order No. WQ 78-8

BY THE BOARD:

This order is in response to three petitions for review of certain orders of the California Regional Water Quality Control Board, Lahontan Region (Regional Board), and a request for an increased capacity allocation in the Tahoe-Truckee Sanitation Agency Regional Sewage Treatment Plant, which have been submitted by various public entities located generally in the North Lake Tahoe area of California, and a petition to intervene. These matters have been consolidated for our consideration pursuant to Section 2054 of Title 23, California Administrative Code. They are the Petition of the Tahoe-Truckee Sanitation Agency (T-TSA) for Review of Regional Board Order No. 6-77-27 (our File No. A-172); the Petition of Alpine Springs County Water District (Alpine Springs) for Review of Regional Board Order No. 6-77-27 (our File No. A-171); the Petition of Alpine Springs for Review of Regional Board Order No. 6-76-7 (our

File No. A-132); the Petition of Alpine Meadows of Tahoe, Inc., (Alpine Meadows) to Intervene in the two Alpine Springs petitions; and the Squaw Valley County Water District (Squaw Valley) request for modification of the Step III State grant contract with T-TSA (Project No. C-06-1121-0) to increase the capacity allocation of Squaw Valley in the T-TSA plant in order to serve the Blyth Arena, a U. S. Forest Service facility in Squaw Valley (our File No. A-191).

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I. BACKGROUND

T-TSA

T-TSA is a regional governmental entity which was formed in 1972 pursuant to Water Code Appendix, Section 114, et seq., to transport, treat, and dispose of wastewater delivered to it by the following: North Tahoe Public Utilities District, Tahoe City Public Utilities District, Alpine Springs, Squaw Valley, Truckee Sanitary District, and the Truckee River Corridor. In order to provide for construction of a regional treatment plant and to comply with state and federal construction grant program requirements, a project report, application for state and federal construction grants (P.L. 92-500, Title II

and California Water Code, Division 7), and an Environmental Impact Report to assess the environmental impacts of project alternatives were prepared by T-TSA. In addition, the Environmental Protection Agency prepared an Environmental Impact Statement (EIS), pursuant to the National Environmental Policy Act (42 U.S. Code, Section 4321, et seq.). The project which was selected (Alternative "H" as discussed in the EIS), provides advanced waste treatment in a plant located at the confluence of the Truckee River and Martis Creek with discharge of effluent to a nearby subsurface disposal area. Construction of the project was completed in January, 1978.

The total grant eligible capacity of the T-TSA treatment plant project was established at 4.83 million gallons per day (mgd) and the EIS did not evaluate a project with a capacity larger than this, although the EIR had evaluated a project with 6.0 mgd capacity. By letters dated March 3, and April 15, 1975, the Lake Tahoe Task Force, Northern California Regional Conservation Committee, Sierra Club, petitioned the State Board for review of the Division of Water Quality staff determination to give concept approval to the T-TSA project (Alternative "H") with 4.83 mgd capacity, contending, among other things, that the project as approved would support excessive urban expansion in the Lake Tahoe Basin. On June 19, 1975, we adopted Order No. WQG 75-15, which provided that the

Step III State grant contract for the T-TSA project could be executed but must be conditioned by the inclusion of an allocation of capacity to specific T-TSA member entities based upon population projection figures for these member entities set forth in the EIS. The August 4, 1975, Step III State Grant Contract for this project and the Federal Grant Contract executed by T-TSA contain a condition setting forth specific waste capacity or flow allocations for communities which would contribute wastes to the T-TSA plant. Briefly, those flows are as follows:

Tahoe City and North Tahoe P.U.D.'s	2.94 mgd
Alpine Springs C.W.D.	.16 mgd
Squaw Valley C.W.D.	.32 mgd
Truckee Sanitary District and Martis Valley	1.16 mgd
Truckee River Canyon	.25 mgd

(Each of these limits constitutes the arithmetic average for any seven consecutive days. The total of the limits equals 4.83 mgd.).

On May 12, 1977, the Regional Board adopted Order No. 6-77-27, containing waste discharge requirements for T-TSA and including the same flow limitations on wastes from contributing communities, as set forth above. T-TSA and Alpine Springs filed timely petitions requesting the State Board to review adoption of the order, and specifically the following provisions contained therein:

"I. Discharge Specifications

B. Flow Limitations

1. The flow of wastewater to the treatment and disposal facilities during any seven (7) consecutive days shall not exceed an arithmetic average of 4.83 mgd (212 l/s).

2. The maximum instantaneous flowrate of wastewater to the treatment facilities shall not exceed 8.94 mgd (392 l/s).

3. The total flow of wastewater from the Tahoe City and North Tahoe Public Utility Districts for any seven (7) consecutive days shall not exceed an arithmetic average of 2.94 mgd (129 l/s).

4. The flow of wastewater from the Alpine Springs County Water District for any seven (7) consecutive days shall not exceed an arithmetic average of 0.16 mgd (7.0 l/s).

5. The flow of wastewater from the Squaw Valley County Water District for any seven (7) consecutive days shall not exceed an arithmetic average of 0.32 mgd (14.0 l/s).

6. The flow of wastewater from the Truckee Sanitary District and the Martis Valley for any seven (7) consecutive days shall not exceed an arithmetic average of 1.16 mgd (50.8 l/s)."

Alpine Springs

Alpine Springs owns a secondary treatment plant with a design capacity of 300,000 gallons per day (gpd). On January 22, 1976, the Regional Board adopted Order No. 6-76-7, containing waste discharge requirements for Alpine Springs which specify, among other things, that the discharge of waste from the Alpine Springs facility is prohibited after January 1, 1978, the date on which the T-TSA treatment plant was expected to be available to receive wastes from Alpine Springs. Alpine Springs requested an extension of the 30-day filing period specified in Water Code Section 13320, which was granted, and, on

March 24, 1976, Alpine Springs submitted a petition for review of Regional Board Order No. 6-76-7. Thereafter, various points and authorities in support of the legal issues raised in the petition were submitted during 1976 and 1977. A report entitled "Alpine Springs County Water District, Wastewater Capacity Needs and Alternative Solutions, August 1977" was submitted on September 9, 1977, in support of the petition.

The petition takes issue with certain findings of the Regional Board and specifically requests review of the following portions of Order No. 6-76-7:

"I. Discharge Specifications

A. Effluent Limitations

2. The flow of wastewater for any seven (7) consecutive days shall not exceed an arithmetic average of 0.16 mgd, after January 1, 1978.

\* \* \*

II. Provisions

9. The discharge of waste from this facility is prohibited after January 1, 1978."

Squaw Valley

In July, 1977, Squaw Valley notified the Board of its request for increased capacity in the T-TSA treatment plant. On August 4, 1977, pursuant to the terms of the Step III grant contract between the State Board and T-TSA, described above, Squaw Valley submitted an application for increased capacity in the T-TSA plant, specifically seeking an additional 46,500 gpd in order to serve the Blyth Arena, a

U. S. Forest Service facility in the Olympic Village at Squaw Valley. The grant contract provides the following mechanism for modification of the specified capacity allocations:

"Should any of the above areas to be served wish to increase its flow over the amount specified above, it shall request a modification of the above allocations from the State Water Resources Control Board at least six months in advance of the time it is anticipated that approval will be given of building permits for projects which will cause the allocated flow to be exceeded. Flow from each of the above-listed areas to be served shall not exceed the flow allocation for that area without prior approval of the State Water Resources Control Board."

(At page 2 of the Special Conditions, Step III State Grant Contract, Project No. C-06-1211-0.)<sup>1/</sup>

Squaw Valley has suggested various possible solutions by which the State Board could approve an increase in capacity allocated to Squaw Valley to allow service to Blyth Arena. Squaw Valley owns and operates the Olympic Wastewater Treatment and Disposal Plant, which has in the past provided service to Blyth Arena.

#### The Consolidated Proceedings

In November, 1977, consolidation of all of these proceedings was proposed pursuant to State Board regulations (Title 23, California Administrative Code, Chapter 3, Section 2054), based on the similarity of certain legal issues raised by the petitions and the largely shared factual background of these petitions and the request for capacity.

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<sup>1/</sup> Identical language appears in the Federal Grant Contract executed by T-TSA.

Alpine Springs, Squaw Valley, and T-TSA were provided an opportunity to file objections to consolidation. No substantial prejudice due to consolidation was demonstrated, and the proceedings were consolidated in December, 1977.

Also, in December, 1977, three requests for stay were submitted: Alpine Springs requested a stay of the prohibition portion of Order No. 6-76-7; T-TSA requested a stay of the flow limitations contained in Order No. 6-77-27; and Squaw Valley requested a stay of the prohibition portion of Regional Board Order No. 6-76-9, containing waste discharge requirements for the Olympic Wastewater Plant.<sup>2/</sup> Following a hearing held on January 11 and 18, 1978, the Board adopted Order No. WQ 78-3, which denied each of the requested stays. However, noting the potential need for a stay in the case of Squaw Valley if certain conditions were to occur simultaneously, Order No. WQ 78-3 provided for considering immediate interim relief for Squaw Valley, if such need arose.

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<sup>2/</sup> Squaw Valley's Petition for Stay of Regional Board Order No. 6-76-9, was accompanied by a Petition for Review of Order No. 6-76-9, a Petition for Stay and Review of Order No. 6-77-3, and a request for stay of certain provisions of Order No. 6-76-10. Orders Nos. 6-76-10 and 6-77-3 contain waste discharge requirements for two other Squaw Valley treatment plants. The Petition for Review was not filed in a timely manner in accordance with Water Code Section 13320 (a), and was not accepted by the Board. Only the Request for Stay of Order No. 6-76-9, related to the Olympic Wastewater Plant, was accepted for consideration in connection with Squaw Valley's previously submitted request for additional capacity in the T-TSA treatment plant.



By letter of February 2, 1978, the parties hereto (and other interested persons) were notified that these consolidated proceedings would be decided upon the record and were provided twenty days from the date of the letter to submit all additional argument and comment for the Board to consider in resolving these matters. Final comments were received from T-TSA on February 22, 1978, and from Alpine Springs and Squaw Valley on February 27, 1978. A petition to intervene, submitted on behalf of Alpine Meadows of Tahoe, Inc., pursuant to Section 2052.1, Title 23, California Administrative Code, was received on February 27, 1978, along with comments in response to the Board's letter of February 2, 1978, and was accepted for review.

## II. ISSUES AND FINDINGS

Following is a discussion of the major issues raised by the parties herein.

- A. IN ADOPTING ORDER NO. 6-76-7 WAS IT PROPER AND APPROPRIATE FOR THE REGIONAL BOARD TO PROHIBIT WASTE DISCHARGES FROM THE ALPINE SPRINGS FACILITY AFTER JANUARY 1, 1978?

Alpine Springs contends that it was neither proper nor appropriate for the Regional Board to adopt the prohibition

against discharges from the Alpine Springs facility, contained in Provision II.9., Order No. 6-76-7 (set forth herein on page 6 ). Alpine Springs asserts that it is entitled to relief from the prohibition, either by State Board amendment of Order No. 6-76-7 to remove the prohibition or by remand to the Regional Board to accomplish the same result, for the following reasons: the Regional Board failed to comply with newly enacted Water Code Sections 13280, 13281, and 13282 in adopting the prohibition; the Regional Board failed to comply with Water Code Section 13263 in adopting the prohibition; and the abandonment of the Alpine Springs facilities as required by the prohibition is not necessary or required by the T-TSA EIS, the Water Quality Control Plan for the North Lahontan Basin (Basin Plan), or any failure to meet existing Alpine Springs waste discharge requirements. In the opinion of Alpine Springs the present facility is adequate to protect beneficial uses and to meet relevant water quality objectives, as set forth in the Basin Plan. As a result of the adoption of Order No. 6-76-7, containing both the prohibition against discharge from the Alpine Springs facility and a limitation on flows discharged to the T-TSA system, Alpine Springs states that it is threatened with litigation, since it will be prevented from fulfilling its commitments to provide sewage treatment service to properties within its jurisdiction. Therefore, Alpine Springs contends, it should be permitted to continue to operate its existing facilities, consistent with the provisions of the Basin Plan.

The authority of the Regional Board to prescribe requirements for the discharge of waste is set forth in Water Code, Division 7, commencing with Section 13000.

Section 13263 provides in pertinent part:

"(a) The regional board, after any necessary hearing shall prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change therein, except discharges into a community sewer system, with relation to the conditions existing from time to time in the disposal area or receiving waters upon or into which the discharge is made or proposed. The requirements shall implement relevant water quality control plans, if any have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241."

Section 13241, referenced above, provides:

"Each regional board shall establish such water quality objectives in water quality control plans as in its judgment will ensure the reasonable protection of beneficial uses and the prevention of nuisance; however, it is recognized that it may be possible for the quality of water to be changed to some degree without unreasonably affecting beneficial uses. Factors to be considered by a regional board in establishing water quality objectives shall include, but not necessarily be limited to, all of the following:

- (a) Past, present, and probable future beneficial uses of water.
- (b) Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
- (c) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
- (d) Economic considerations."

In addition to these basic regulatory provisions, the authority of the Regional Boards in prescribing requirements is augmented by Water Code Section 13243, which explicitly provides broad power to prohibit the discharge of waste. It states:

"A regional board, in a water quality control plan or in waste discharge requirements, may specify certain conditions or areas where the discharge of wastes or certain types of waste, will not be permitted."

The Alpine Springs contention that the Regional Board failed to comply with the requirements of Section 13263 in adopting the subject prohibition is without merit. In substance, Alpine Springs argues that the Regional Board failed to take into account "economic considerations" and "water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area", as required by Section 13241. Further, Alpine Springs argues that by not permitting the continuation of discharge from the existing Alpine Springs facility the Regional Board failed to implement properly the North Lahontan Basin Plan.

Section 13241 essentially describes the broad environmental review that a Regional Board must undertake in adopting or revising basin plan, by indicating the factors which must be taken into account a minimum, in establishing water quality objectives. We have previously held, and it is clear from the legislative history of the Porter-Cologne Act, that, in prescribing waste discharge requirements to implement applicable water quality objectives which are contained in a properly adopted basin plan, a Regional Board need not

reconsider each of the elements set forth in Water Code Section 13241.<sup>3/</sup>  
We have also previously discussed the circumstances under which the adoption of a prohibition of discharge of waste would be appropriate in Order No. WQ 76-11, concerning the Las Virgenes Municipal Water District. Among our conclusions in Order No. WQ 76-11, we stated:

" 2. The Regional Board may, under appropriate circumstances, prohibit a proposed discharge, and may also limit the flow of a proposed discharge.

3. A total prohibition on discharge, or a limit on discharge flow is justified where necessary:

(a) To implement properly an approved and relevant water quality control plan;  
(b) To protect water quality and beneficial uses, i.e., to prevent nuisance, pollution or contamination;

(c) To protect adequately against environmental damage, to minimize adverse environmental impacts, or to insure long-term protection of the environment."

(Order No. WQ 76-11, page 16.)

If we find that the adoption of the subject prohibition was based upon circumstances corresponding to the criteria set forth above, then the prohibition will be upheld. We need not search far to conclude that the prohibition in Order No. 6-76-7 is appropriate in accordance with the above criteria.

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<sup>3/</sup> See State Board Order No. WQ 73-4 ("Rancho Caballero"); "Final Report of the Study Panel to the California State Water Resources Control Board, Study Project, Water Quality Control Program", March, 1969, especially Chapter IV; and Hampson v. Superior Court for County of Inyo (1977) 67 Cal.App.3d. 472.  
See also State Board Order No. WQ 77-16 (Pacific Water Conditioning Association) which contains a lengthy discussion of the statutory requisites applicable to prescribing waste discharge requirements.

The findings of Order No. 6-76-7 indicate that the Alpine Springs facility discharges secondary effluent to percolation ponds and percolation trenches in hydraulic continuity with Bear Creek, a tributary of the Truckee River. The findings of the Order also indicate that a Basin Plan was adopted and that in accordance with the Plan the Tahoe-Truckee Sanitation Agency proposed the construction of a regional facility by December 31, 1977, to treat waste from Alpine Springs as well as other communities. That is, "in accordance with the Plan" the T-TSA regional facility would be providing advanced treatment for the wastes received. The T-TSA plant was proposed and designed to provide secondary treatment and nutrient removal in order to meet water quality objectives specified in the Plan for Lake Tahoe and the Truckee River.<sup>4/</sup> After recognizing the availability date of the regional facility, the Regional Board essentially adopted interim or short-term requirements for Alpine Springs. The requirements would assure continued efficient operation of the existing secondary treatment facilities of Alpine Springs until the regional facility was available to provide advanced treatment for Alpine Springs wastes.<sup>5/</sup>

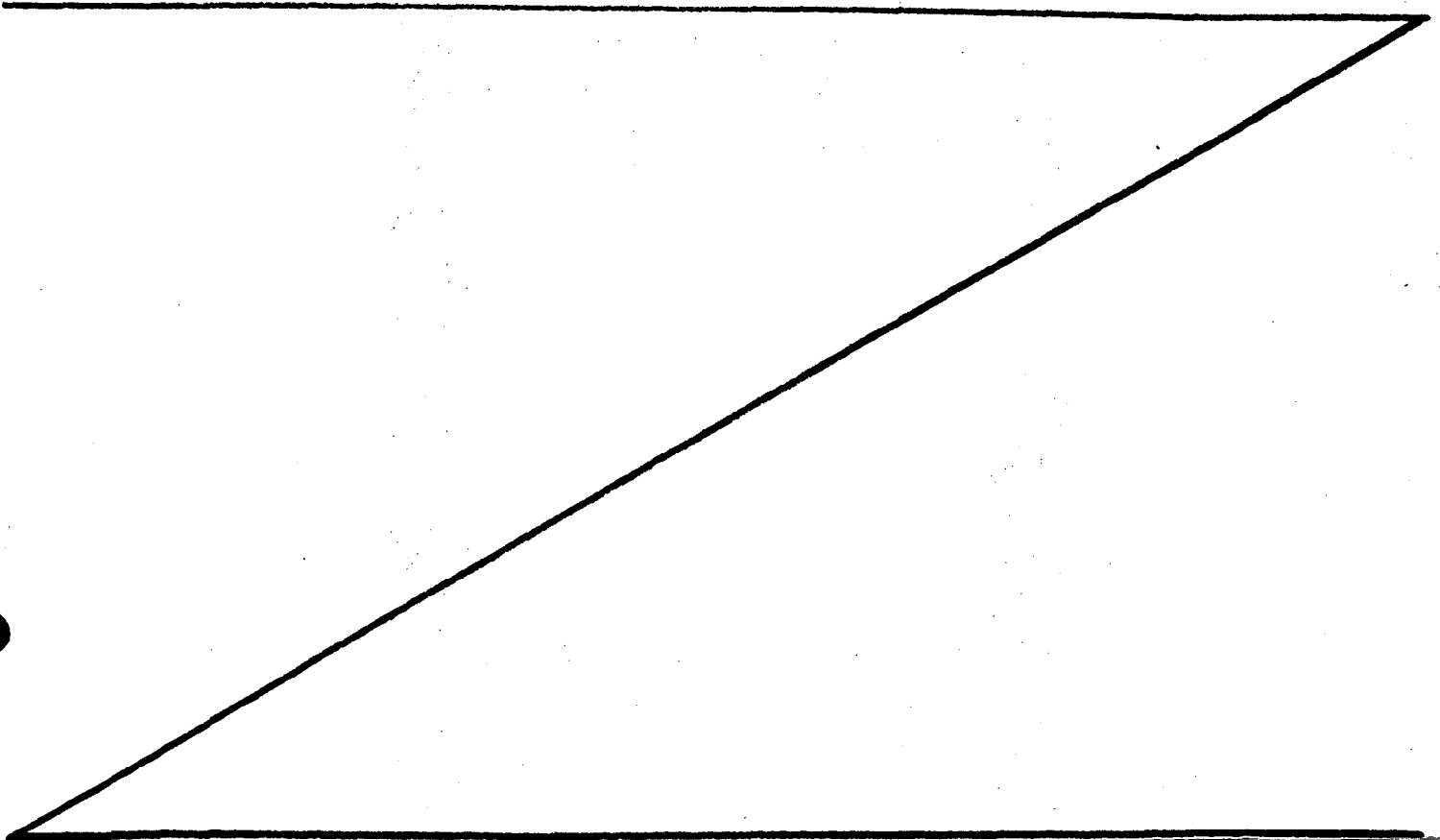
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4/ See Water Quality Control Plan, North Lahontan Basin (6A), ("Basin Plan"), Part I, Chapter 4, "Water Quality Objectives" and Chapter 5, "Implementation Plan", containing a discussion of the pollutant load reduction to be expected from T-TSA plant for the lower Truckee River.

5/ We recognize that the T-TSA requirements indicate review and possible revision of objectives which may affect the treatment required at the T-TSA plant. However, it remains clear that the T-TSA plant provides a significantly higher degree of treatment than that available via the Alpine Springs facility. The Basin Plan contains numerous indications of the interim nature of waste disposal permitted at the existing Alpine Springs facility and the need for improved waste treatment levels and reliability. See, e.g., Basin Plan, Part I, Chapters 5 and 6.

Therefore, the Alpine Springs argument that the Alpine Springs treatment facilities can meet existing waste discharge requirements is immaterial.

Alpine Springs has submitted voluminous materials to support its allegations that the existing Alpine Springs facility does not cause a violation of receiving water quality objectives for the Truckee River and that the water quality objectives imposed by the Basin Plan are not necessary to protect beneficial uses. On September 9, as described herein, a report was submitted concerning Alpine Springs's treatment needs and capacity. At the January 11, 1978, hearing concerning the requested stays, Alpine Springs submitted materials entitled the "Truckee River Studies", prepared under the direction of



Mr. Fred McLaren.<sup>6/</sup> As we have previously stated, attacks on the validity of the relevant Basin Plan as a part of a petition for our review of individual waste discharge requirements are not appropriate and to the extent that these materials present an attack on the provisions of the North Lahontan Basin Plan, they are not properly a part of the record of this proceeding<sup>7/</sup> and are not accepted as evidence relevant to these appeals. (See footnote 3 and the accompanying text, above.)

The challenge to the validity of water quality objectives contained in the Plan clearly is covered by these previously stated principles and no in depth analysis of the appropriateness of these objectives will be conducted as a part of this review. We also do not analyze here in depth the particular effects of the Alpine Springs's discharge on the attainment or maintenance of objectives in the Truckee River inasmuch as the Basin Plan clearly contemplates abandonment of the individual treatment plants operated by each of the

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<sup>6/</sup> These materials had not been submitted to or reviewed by the Regional Board prior to this hearing.

<sup>7/</sup> In its final comment T-TSA requested that the Board include all evidence submitted at the stay hearing in the record to be considered in the resolution of the merits of these petitions. We agree to do so, except insofar as the evidence presented at the stay hearing attempts to indicate that portions of the Basin Plan are improper or unnecessary.



individual T-TSA member entities, including Alpine Springs, when the T-TSA plant becomes available.<sup>8/</sup> The Regional Board clearly concluded at the time of adoption of its Basin Plan that abandonment of the individual treatment plants in the North Tahoe area and treatment of all wastewater from the area at the T-TSA plant, which would be constructed to treat the wastewater to a higher level than the individual plants, was the appropriate solution to water pollution control problems in the area (including potential future problems which might occur due to increased flows from the area resulting from future population growth).<sup>9/</sup> To draw a contrary conclusion in the context of review of individual waste discharge requirements would undermine the integrity of the planning process. We have previously concluded that waste discharge requirements must be consistent with the applicable Basin Plan in order to implement it as required by Water Code Section 13263,<sup>10/</sup> and we reaffirm that conclusion here.

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<sup>8/</sup> See, e.g., Table 5-5 on page I-5-10, Table 16-1 on page II-16-4, Figure 16-9, page II-16-22, and pages II-17-4 - II-17-6.

<sup>9/</sup> In fact, for water quality control planning purposes the Truckee River has been identified as an effluent-limited-1 segment (EL-1). This means that additional treatment and control measures will be necessary for the Truckee River to achieve and maintain the receiving water quality objectives established as necessary for the protection of beneficial uses. The Basin Plan indicates that the Lower Truckee River has violated nutrient standards, but the installation of advanced waste treatment for municipal discharges which cumulatively affect the area should provide the water quality necessary to meet the goals of the Federal Water Pollution Control Act (P.L. 92-500). See Water Quality Control Plan, North Lahontan Basin (6A), Part II, Chapter 15.

<sup>10/</sup> See the "Rancho Caballero" decision, State Board Order No. 73-4, (In the Matter of the Petition of Orange County Water District for Review of Order No. 72-16 of the California Regional Water Quality Control Board, Santa Ana Region, Prescribing Waste Discharge Requirements for Rancho Caballero Mobilehome Park).

Alpine Springs contends that the Regional Board was required to comply with Water Code Sections 13280 through 13282 in adopting the prohibition contained in Order No. 6-76-7. Since the referenced code sections were adopted in 1977 (Stats. 1977, Chapter 1194 [AB.542]), to be effective January 1, 1978, we disagree. The new sections apply to prohibitions adopted or prescribed on or after January 1, 1978. It is a general rule of law that statutes operate prospectively, unless specific provision is made by the Legislature for retroactive application.<sup>11/</sup> The subject prohibition was adopted January 22, 1976. Order No. 6-76-7 was effective when adopted. The inclusion of the prohibition to require termination of discharge at a future date is tantamount to specifying a time schedule for compliance with requirements,<sup>12/</sup> the application of which is undisturbed by the enactment of a later law which has not been explicitly made retroactive.

11/ DiGenova v. State Board of Education (1962) 57 Cal.2d 167; City of Sausalito v. County of Marin (1970) 12 Cal.App.3d 550; Gordon H. Ball, Inc., v. State of California (1972) 26 Cal.App.3d 162; Sutherland, Statutes and Statutory Construction, 4th Ed., 1973, Section 41.04.

12/ See Water Code Section 13263(c). We note also that in this particular case the EIS indicates that the subject Alpine Springs prohibition was adopted prior to January 22, 1976, and that the effect of the Regional Board action of January 22, 1976, was to extend the due date for compliance with the prohibition. (EIS, pages 98 and 249.) We also note here that we normally would not consider what is the mere readoption of a pre-existing discharge requirement provision to be an appealable action under Section 13320 of the Water Code. However, we realize that in this particular instance the simultaneous adoption of a flow limit well below the limit imposed in previous requirements (i.e., a reduction from .30 mgd to .16 mgd) gave the requirement to terminate discharges from existing facilities new significance and, therefore, we have undertaken in this order to review the requirement to terminate discharges after January 1, 1978, on its merits.

To the extent that the Petition to Intervene submitted by Alpine Meadows of Tahoe, Inc., incorporates the arguments and authorities asserted by Alpine Springs to establish that the prohibition in Order No. 6-76-7 is improper, it is addressed by the above discussion. However, Alpine Meadows also asserts that the adoption of Order No. 6-76-7, along with the inclusion of flow restrictions in Order No. 6-77-27 destroys a vested right of Alpine Meadows to continue to receive service from Alpine Springs, by precluding the use of the existing Alpine Springs facility (for which Alpine Meadows has contributed certain payments) in order to provide such service, and by limiting Alpine Springs flows to an amount which will not accommodate all projected peak winter flows from Alpine Springs. Alpine Meadows is a California corporation which operates a winter recreation area on U. S. Forest Service lands for which sewage service is provided by Alpine Springs.

California case law makes clear the duty of a public entity which provides sewage treatment services to meet its contractual commitments to provide such services without violating water quality requirements.<sup>13/</sup> Of course, even if the adoption of waste discharge requirements has the effect of limiting the present ability of an entity to provide sewage service, this limitation does not itself preclude the construction of additional

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<sup>13/</sup> Morshead v. California Regional Water Quality Control Board (1975), 45Cal.App.3d 442, Fallen Leaf Lake Protection Association v. South Tahoe Public Utility District (1975) 46Cal.App.3d 816.

capacity to provide such service consistent with the applicable Basin Plan and other applicable legal requirements.

Therefore, Alpine Meadows should take up its need for capacity with Alpine Springs.

For all of the above stated reasons we uphold the adoption of Provision II.9., of Lahontan Regional Board Order No. 6-76-7.

B. THE INCLUSION OF FLOW LIMITATIONS IN REGIONAL BOARD ORDERS NOS. 6-77-27 AND 6-76-7.

1. IS IT PROPER AND PERMISSIBLE FOR A REGIONAL BOARD TO INCLUDE FLOW LIMITATIONS IN WASTE DISCHARGE REQUIREMENTS ADOPTED PURSUANT TO CHAPTER 4, DIVISION 7, OF THE WATER CODE?

This issue is raised by the petitions of Alpine Springs and T-TSA, and the Squaw Valley request for capacity. T-TSA contends that the inclusion in Order No. 6-77-27 of flow limitations which govern waste flows coming into the T-TSA plant was improper for both total flows and flows from contributing communities. T-TSA contends that the adopted flow limitations violate Water Code Section 13263(a) in that they constitute the prescription of waste discharge requirements for a discharge into community sewer system; that the flow limitations violate Water Code Section 13360 by specifying the manner of compliance; that no authority exists in State or Federal law for the prescription of waste discharge requirements

which are unrelated to water quality; and that no authority exists in the California Environmental Quality Act for the inclusion of flow limitations in waste discharge requirements. It is also T-TSA's contention that the inclusion of the flow limitations in Order No. 6-77-27 constitutes interference with contractual rights and obligations under the T-TSA State Grant contract. T-TSA is joined in these contentions by Alpine Springs, which also contends, with respect to Order No. 6-77-27, that the flow limitations constitute an improper limitation and unauthorized restriction of the authority of T-TSA to operate facilities for the collection, treatment and disposal of sewage delivered to T-TSA by Alpine Springs.

With respect to Order No. 6-76-7, Alpine Springs raises substantially the same contentions as those stated above relative to Order No. 6-77-27, and asserts that the limitation on total flows from the Alpine Springs treatment plant after January 1, 1978, was also adopted in violation of Water Code Section 13263 due to the Regional Board's failure to take into account economic considerations and failure to make findings concerning the elements required to be considered by Water Code Sections 13241 and 13263.

#### COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

We address first the argument that the California Environmental Quality Act (CEQA) does not provide authority

for the inclusion of flow limitations in waste discharge requirements. We find that pursuant to CEQA the Regional Board had a duty to consider the broad environmental effects of the T-TSA project in prescribing waste discharge requirements, and that this duty included the obligation to prescribe mitigation measures for identified potentially significant environmental effects or, alternatively, to determine such measures to be infeasible or the duty of another agency. In performing its duties under CEQA the Regional Board had the authority to prescribe waste flow limitations as an appropriate mitigation measure.

CEQA contains a clear direction to state agencies to consider the broad environmental effects of projects which they approve or carry out.<sup>14/</sup> It therefore supplements the authority of the State and Regional Boards to protect the environment by prescribing and enforcing waste discharge requirements. At the time of the adoption of Order No. 6-77-27, containing the T-TSA waste discharge requirements, CEQA required state agencies in reviewing a project both to consider the broad environmental effects the project could have and to adopt findings providing for mitigation of adverse environmental effects. Thus, when Order No. 6-77-27 was adopted

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<sup>14/</sup> See CEQA, Public Resources Code, especially Sections 21000(d), 21002.1.

by the Lahontan Regional Board, the Board had the right and the unmistakable legislative mandate to consider the effects of permitting a waste discharge on the total environment as well as on water quality.<sup>15/</sup>

The T-TSA sewage treatment plant construction constituted a project subject to CEQA which required the approval of the Regional Board, through the prescription of waste discharge requirements. (See Public Resources Code Section 21065.) Although our regulations implementing CEQA list issuance of waste discharge requirements pursuant to Article 4, Chapter 4, Division 7 of the Water Code as categorically exempt from the provisions of CEQA, (Title 23, California Administrative Code, Chapter 3, Section 2714(d))

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<sup>15/</sup> This conclusion is supported by the determination of the California Supreme Court that the Legislature intended CEQA "to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language". Friends of Mammoth v. Board of Supervisors, (19) 8Cal.3d 247, 259; Wildlife Alive v. Chickering (1976) 17Cal.3d 768, as modified 18Cal.3d 190, 198. Also, the California Attorney General has concluded:

"Because of the unmistakable legislative mandate that all public agencies consider the effect of their actions on the environment...the state and regional boards must consider the effects of waste discharges on factors of the environment other than those strictly related to water quality."

(See Attorney General's Opinion No. SO 73-42, emphasis added.)

these regulations were adopted prior to the California Supreme Court's decision in Wildlife Alive v. Chickering (supra at footnote 15). Subsequent to the Wildlife Alive decision we gave our Regional Boards instruction on compliance with CEQA in the issuance of such requirements.<sup>16/</sup>

In addition, we have also held in a number of previous orders that, when considering controversial projects for which environmental documents have been prepared, the Regional Board should consider such documents prior to its approval in order to comply with the policies of CEQA. Consistent with this interpretation are the State Board's CEQA regulations, effective when Order No. 6-77-27 was adopted, contained in Title 23, California Administrative Code, Chapter 3, Subchapter 17, especially Section 2718, which provides:

"The state board or a regional board may prohibit or condition the discharge of waste and may condition water reclamation in order to protect against environmental damage, to minimize adverse environmental impacts, or to ensure long-term protection of the environment."<sup>17/</sup>

Based upon the above discussion and cited authorities, the Regional Board had the ability to consider the broad environmental effects of the T-TSA project in adopting Order No. 6-76-7, including those effects unrelated to water quality.

Moreover, the flow limitations specified in Order No. 6-77-27, and particularly the total flow permitted (4.83 mgd) relate specifically to capacity available in an identified treatment plant, and we cannot agree that these limitations are in fact totally unrelated to water quality. At least with respect to the total

<sup>16/</sup> April 1, 1977, Memorandum from W. R. Attwater, Chief Counsel, to all Reg'l. Bd. Executive Officers, Subject: IMPLEMENTATION OF CEQA.

<sup>17/</sup> This State Board policy applies to all waste discharge requirements, whether they are issued under Chapter 4 or Chapter 5.5 of Division 7, Water Code. See the following orders previously adopted by this Board: Nos. WQ 75-4 (Diamond A Ranch), 75-8 (Kirtlan), 76-5 (City of Arcata), and 77-11 (Pacific Water Conditioning Association).



flow limitation, we have previously discussed the ability of the Regional Board to adopt a prohibition in our Order No. WQ 76-11, referenced supra. The need to prevent nuisance, pollution, or contamination which may occur due to waste discharges in excess of the design capacity of a treatment plant, which may not receive adequate treatment, can justify the adoption of a flow limitation and is directly related to water quality.<sup>18/</sup> Consistent with these water quality concerns, the distribution of total available capacity by assignment or allocation among several contributing public entities may be viewed as a sharing or distributing of responsibility in maintaining proper waste treatment.

Having discussed the ability of the Regional Board under CEQA to consider and prescribe appropriate mitigation measures, we must now determine whether the sections of the Water Code brought to our attention by Alpine Springs and T-TSA preclude the Regional Board from adopting flow limitations, such as those contained in Order No. 6-77-27, as a mitigation measure for identified environmental impacts of the T-TSA project. For the reasons stated below, we conclude that they do not.

PROSCRIPTION AGAINST SPECIFYING THE  
MANNER OF COMPLIANCE WITH REQUIREMENTS  
(WATER CODE SECTION 13360)

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<sup>18/</sup> In Order No. WQ 76-11, the Las Virgenes decision discussed above, we illustrated our conclusion that pursuant to Water Code Section 13243, flow restrictions could be properly adopted, by saying: "We need not search too far to find an example of what we would consider an appropriate limitation on flow. Assume, for example, a discharger proposing a discharge flow of 8 mgd with disposal facilities, including reclamation, spray disposal fields and percolation ponds, of a limited capacity of 4.5 mgd. Is there any real question that, under these circumstances, a Regional Water Quality Control Board would have any alternative except to limit the effluent flow to 4.5 mgd?" (Order No. WQ 76-11, page 11.)

Petitioners contend that by prescribing flow limitations applicable to waste flows to the T-TSA plant from member entities and to the total inflow to the plant the Regional Board has improperly specified the manner of compliance with waste discharge requirements. We disagree.

Water Code Section 13360, cited by Alpine Springs and T-TSA, was a product of the change in the regulatory approach to water pollution control adopted by the Legislature in 1949. The predecessor to Section 13360 (formerly Section 13064),<sup>19/</sup> was adopted as part of the Dickey Water Pollution Act which changed the process of regulating waste discharges from specifying facilities to be constructed to specifying conditions to be maintained. Section 13360 provides:

"No waste discharge requirement or other order of a regional or state board or decree of court issued under the provisions of this division shall specify the design, location, type of construction or particular manner in which compliance may be had with such requirement, order or decree, and the person so ordered shall be permitted to comply therewith in any lawful manner; provided, however, that if the court, in an action for an injunction brought under this division, finds that the enforcement of an injunction restraining the discharger from discharging waste would be impracticable, the court shall have the power to issue any order reasonable under the circumstances requiring specific measures to be undertaken by the discharger to comply with the discharge requirements, order or decree.

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<sup>19/</sup> Former Water Code Section 13064 provided: "No order issued under the provisions of this article shall specify the design, location, type of construction or particular manner in which an operation causing or threatening to cause a condition of pollution or nuisance is to be corrected, and the person so ordered shall be permitted to correct the condition in any lawful manner."

A flow limitation does not constitute a limitation upon the method by which water quality results are achieved. Rather, it should be viewed as a partial prohibition prescribed pursuant to Water Code Section 13243 (set forth above, at page 12). As discussed above (at pages 13 and 24), in Order No. WQ 76-11 we held that Regional Boards have ample authority to adopt limitations on the volume of wastes discharged as a part of waste discharge requirements, under appropriate circumstances, and that such requirements would not violate Water Code Section 13360, but would constitute a prohibition pursuant to Water Code Section 13243.

T-TSA has contended that the only authority of the State and Regional Boards to restrict waste discharge flows exists in the enforcement sections of the Porter-Cologne Act, specifically in Water Code Section 13301. Section 13301 permits the adoption of a "connection ban", i.e., a prohibition or restriction against new discharges to a community sewer system, until violations of applicable requirements or prohibitions are terminated. T-TSA's contention is not correct. Water Code Section 13243 clearly permits a total prohibition against discharge, and, therefore, by definition a lesser limitation, i.e., a restriction of flows, in both planning and regulation. That is, a prohibition may be adopted in either a water quality control plan or in waste discharge requirements, or in both. It is appropriate to note here the breadth of Water Code Section 13243. No restrictions of Regional

Board regulatory authority, such as the restriction regarding discharges to a community sewer system which appears in Water Code Sections 13260 (regarding reports of waste discharge) and 13263 (regarding waste discharge requirements as to the nature of discharges to be permitted), appear in Section 13243.

The flow limitations contained in Regional Board Order No. 6-77-27 constitute prohibitions and do not violate Water Code Section 13360. We reserve for the moment our discussion of the volume flow limitation contained in Regional Board Order No. 6-76-7.

REGULATION OF DISCHARGES INTO A COMMUNITY  
SEWER SYSTEM (WATER CODE SECTION 13263)

T-TSA and Alpine Springs argue that the flow limitations in Order No. 6-77-27 constitute waste discharge requirements prescribed for discharges into a community sewer system, and are therefore contrary to Water Code Section 13263. Water Code Section 13263 directs that the Regional Board shall prescribe requirements as to the nature of waste discharges "except discharges into a community sewer system". (Water Code Section 13263(a), set forth at page 11, herein.)

As petitioners correctly note, Division 7 of the Water Code contains no definition of "community sewer system" to guide in the implementation of this section. The definitions of "community" and "sewer system" set forth in State Board regulations and guidance for purposes of determining the eligibility of projects for funding under the construction grants program do not

apply to the question at hand.<sup>20/</sup> Instead, it is necessary to review the language of the Porter-Cologne Water Quality Control Act and its legislative history.

The Porter-Cologne Act passed by the California Legislature in 1969, became effective January 1, 1970, superseding the Dickey Water Pollution Act. As petitioners note, it is a general rule that when a statute repeals and re-enacts an older statute essentially for purposes of consolidation and clarification and without substantial change, then the statutory revision effects the continuation of the older statute. In Re Dapper (1969) 61Cal.2d 184.<sup>21/</sup>

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<sup>20/</sup> Even if we were to apply the State Board regulations and provisions applicable to the construction grants program to these petitions, as suggested by the petitioners herein, the flow limitations contained in Order No. 6-77-27 for the T-TSA treatment plant would not constitute requirements regulating discharges to a community sewer system. The T-TSA construction grant project, as funded in part by the State and the Federal Government, included interceptors, a treatment plant, and an effluent disposal system. A definition of "interceptor" is provided by regulation (23 Cal. Admin. Code Section 2102(y)). The definitions provided for the program apply for purposes of determining the priority and eligibility of a project competing with other projects to receive funds and the elements of the project that will be funded. Since "interceptor" is defined as "a closed conduit...whose primary purpose is to transport wastewater from an entire community...", had the members of T-TSA not been considered separate communities, it is highly unlikely that grant funds would have been used to support construction of the Truckee River Interceptor, since the sewer line connecting the member entities would then have been considered a "collector sewer". As such it would normally not have been fundable pursuant to State Board grant regulations.

<sup>21/</sup> See Alpine Springs supplemental points and authorities submitted by letter of April 12, 1977, (revised May 11, 1977), page 8, and T-TSA Statement of Points and Authorities in Support of Petition, page 2.

In the case of Water Code Sections 13260 and 13263, both of which except discharges to a community sewer system from their application, the Legislative Committee Comment contained in the Water Code indicates that they were intended to continue in effect former Section 13054. In fact, former Section 13054 contains language similar to that of the present Water Code which excepts discharges to a community sewer system from its application. We find discussion of the rationale for explicitly excepting discharges to a community sewer system from waste discharge requirements in the "Preliminary Report of the Interim Fact-Finding Committee on Water Pollution", which was presented to the Legislature on January 19, 1949. This report describes the work of the Committee, summarizing its preliminary proposals for amendments to the Water Code and their underlying intent. This report indicates that the intent of the Committee was to strengthen existing state laws to insure effective abatement of water pollution and equitable control of waste-disposal practices under conditions of rapid growth in California. Among other things, the substance of the amendments proposed embodied this purpose:

"f. To provide in the law that prime responsibility for proper disposal of waste rests with any agency operating a community or cooperative waste collection system; and to provide that action against contributors to such system may be taken only after failure of action against the responsible agent, and only in matters of imminent hazard to the public health, or permanent damage to a natural resource;" (Emphasis added.)

(Preliminary Report, Interim Fact-Finding Committee on Water Pollution, published by the Assembly of the State of California, January 19, 1949, at page 5.)

The legislative intent in excluding discharges to a community sewer system from regulation by waste discharge requirements was to prevent regulation by the issuance of requirements to persons actually discharging wastes into a sewer system maintained by a public entity. The public entity was given the prime responsibility for proper disposal of the wastes. "Contributor", as used in the above description, means the ultimate source of wastes. We cannot find in the legislative history any intent to excuse local public agencies with responsibility to treat and dispose of sewage, such as the T-TSA member entities, from their responsibilities in the event that a regional agency is formed to share those responsibilities. Rather, the creation of the regional agency which assumes waste disposal obligations of a local governmental entity or entities must be viewed as creating a joint responsibility and obligation to treat and dispose of wastes. The regional agency acts as the agent of the local entities, which remain ultimately responsible for the proper disposal of wastes generated in their communities. Thus, even if individual requirements are not prescribed for each public entity contributing wastes to a regional treatment plant, the contributing communities will have a shared responsibility to meet waste discharge requirements of the regional agency and to protect water quality.<sup>22/</sup>

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<sup>22/</sup> Although there may be a situation in which the creation of a regional agency will result in the removal of certain powers from the member entities of the agency, there is no such indication in the case of T-TSA. Rather, according to Water Code Appendix Sections 114, et seq., the powers of T-TSA are exercised permissively and are not in derogation of any of the powers of any member agency.

In any case, the flow limitations contained in Regional Board Order No. 6-77-27, are included in waste discharge requirements for T-TSA. They are not requirements prescribed directly against the T-TSA member entities.

Our decision on this issue turns on the intent of the Legislature in revising water pollution control laws, and in this case we cannot find that Order No. 6-77-27 prescribes requirements for a discharge to a community sewer system. It is not, therefore, necessary to define further either "community" or "sewer system". Neither does the description of the physical configuration of Alpine Springs' waste collection and disposal system persuade us that the flow limitations improperly regulate discharges to a community sewer system.

FLOW LIMITATIONS CONTAINED IN  
REGIONAL BOARD ORDER NO. 6-76-7

Alpine Springs has asserted that in adopting Order No. 6-76-7 the Regional Board failed to follow the mandate of Section 13263 by not considering economic factors, and, specifically, the economic impact to Alpine Springs of having waste flows reduced from the .3 mgd permitted by previous requirements to .16 mgd, the flow limitation applicable after January 1, 1978. As previously discussed herein, it is not necessary for the Regional Board to reconsider each of the elements set forth in Section 13241 in adopting waste discharge requirements to implement a properly adopted basin plan.



Section I.A.2 of Regional Board Order No. 6-76-7 specifies a volume limitation on discharges from the Alpine Springs facility after January 1, 1978. This section should be construed to be consistent with Section II.9. of the same order which prohibits any discharge from the facility after January 1, 1978. We do not read Section I.A.2 as intended to regulate waste discharges of Alpine Springs after its connection to the T-TSA plant. In order to make the requirements internally consistent, it must be read only to limit maximum waste flows from Alpine Springs until the conveyance of its wastes to the T-TSA plant for treatment. Section I.A.2 of Regional Board Order No. 6-76-7 is no longer effective when Alpine Springs conveys its wastes to T-TSA for treatment.

Based upon the above discussion and cited authorities, we cannot conclude that is was per se improper for the Regional Board to include flow limitations in waste discharge requirements adopted pursuant to Chapter 4, Division 7, of the Water Code. We must now consider whether the flow limitations of Orders Nos. 6-77-27 and 6-76-7 were adopted under appropriate circumstances.

2. ARE THE FLOW RESTRICTIONS CONTAINED IN REGIONAL BOARD ORDERS NOS. 6-77-27 AND 6-76-7 REASONABLE AND APPROPRIATE?

Alpine Springs and T-TSA contend that the adopted flow limitations, of both Order No. 6-77-27 and Order No. 6-76-7 are in fact inappropriate and are supported by neither the

evidence which was before the Regional Board, nor the findings contained in the Orders. In particular, they contend that both the EIS and the Step III Grant Contract for the T-TSA project, upon which the adopted limitations were in part based, in fact support a different flow restriction (capacity allocation), if any, i.e., one which permits larger winter waste flows than those provided. In effect, T-TSA, Alpine Springs and Squaw Valley seek recognition of historical seasonal differences in waste volumes produced by the T-TSA member entities (as indicated in the T-TSA project EIS), acknowledgement that the flow allocation of the T-TSA Step III State Grant Contract was based upon summer population and flow projections, and clarification that such allocation was not intended to restrict winter discharges. Similarly, T-TSA asserts that it was not the intent of the parties to the contract to specify a year-round flow allocation, and that the subject flow allocation was based on and intended to apply to summer flows only.

The assertion concerning the intent of the parties to the state grant contract ignores the express basis of Order No. WQG 75-15, upon which the grant offers were based. The petitioner involved in Order No. 75-15 did not limit its concern to excessive growth in summertime population only and, as a result, the flow limitations adopted as a part of the resolution of the petition were intended to apply year-round. For the reasons expressed below, we have concluded that the Regional Board actions were appropriate. We affirm herein our decision in Order No. WQG 75-15. However, taking into account evidence in the EIS prepared for the T-TSA project which indicates the peak population for Alpine Springs and Squaw Valley occurs during winter and which is not reflected in the capacity allocation set forth in Order No. WQG 75-15, we find that the capacity allocation should be interpreted to permit

increased winter time flows for Alpine Springs and Squaw Valley, provided that certain conditions are met.

DEVELOPMENT OF THE FLOW LIMITATIONS<sup>23/</sup>

The T-TSA regional treatment facilities were constructed with the assistance of state and federal grant funds. A system of determining eligibility to receive funds was developed pursuant to State and Federal Law as a regulatory mechanism for the division of limited funds among competing applicants.<sup>24/</sup>

An assessment of the environmental impacts of any proposed treatment plant project to be grant funded must be conducted and may result in limitations on the grant assistance provided. In the case of the T-TSA project, the grant eligible capacity was determined to be 4.83 mgd. An EIS was prepared by the U. S. Environmental Protection Agency assessing the environmental impacts of a treatment plant of 4.83 mgd. Our Order No. WQG 75-15 approved a plant size of 4.83 for the T-TSA regional project, conditioned upon capacity allocations for the communities contributing

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<sup>23/</sup> The flow limitations are set forth in this Order at page 4 (grant contract allocations) and page 5 (T-TSA discharge requirements).

<sup>24/</sup> For a more detailed explanation of the procedure by which eligibility to receive grant funds is determined, see State Board regulations contained in Title 23, California Administrative Code, Chapter 3, Subchapter 7.

waste to T-TSA for treatment. The capacity allocation which we devised, and which T-TSA accepted, was set forth in Order No. WQG 75-15 which states:

"These figures represent the capacity necessary to serve the peak summer equivalent populations set forth at page 84 of the EIS."

"It is anticipated that capacity could be redistributed upon agreement of the district which would lose capacity. However, such a redistribution could necessitate preparation of an additional environmental impact analysis."  
(Order No. WQG 75-15, page 14.)

The flow limitations indicated in Order No. WQG 75-15 were developed, based upon the summer time population projections for T-TSA member entities contained in Appendix O of the EIS, to mitigate potential adverse environmental effects of the project due to excessive urbanization in the Lake Tahoe Basin. As contained in the Step III State Grant Contract and the EPA grant offer, (i.e., without indication that they were based upon summer time flow projections or were otherwise intended only to apply to summer time flows), they formed the basis of the limitations set forth in the T-TSA waste discharge requirements, Regional Board Order No. 6-77-27.

Although we are not formally reviewing our Order No. WQG 75-15, the issues raised by petitioners and Squaw Valley occasion a discussion of our intent expressed therein.

The Regional Board application of the allocation in Order No. 6-77-27 is consistent with the plain meaning of the Step III State Grant Contract language. Faced with the duty of reviewing the broad environmental effects of the T-TSA project and noting the potential for adverse environmental impact, the Regional Board essentially adopted a measure prescribed by the State Board to mitigate the identified impact, and it was reasonable in doing so. As alternatives to this action, consistent with CEQA, the Regional Board had the opportunity to consider other mitigation measures, if any were available, or to find it was infeasible to mitigate the identified impacts. (Public Resources Code Section 21002.1) However, the Regional Board has a duty to act consistent with State Board policy expressed in water quality orders. We cannot find fault with the course of action chosen.

It was our intent, expressed in Order No. WQG 75-15, to require a year-round capacity allocation based on projected peak summer flow levels for each of the communities contributing waste to T-TSA. Our recent reevaluation of the EIS (particularly Appendix O) however, indicates that as opposed to the other T-TSA members Alpine Springs and Squaw Valley historically had their peak population and high flows in the winter time. As a result, a flow allocation based upon summer time flows inequitably affects these two entities. Therefore, we are willing to interpret the allocation of capacity in our contract with T-TSA in the following manner:

During winter only, i.e., between November 1 and May 1, there may be waste flow from Alpine Springs which is in excess of its specified allocation but not more than 190,000 gpd 7-day average, and waste flow from Squaw Valley which is in excess of its specified allocation but not more than 540,000 gpd 7-day average, and, therefore, total flow to the T-TSA plant of not more than 5.08 mgd 7-day average; provided, however, that the T-TSA plant must meet all other discharge specifications contained in part I of Lahontan Regional Board Order No. 6-77-27. These specified flows represent the capacity necessary to serve the peak winter equivalent populations for Alpine Springs and Squaw Valley.<sup>25/</sup> Since these two areas have been primarily winter recreation areas, the increased allocations essentially avoid the hardship that could result from flow limitations based on summer or "off-season" population projections.

This interpretation permits accomodation of the historic fluctuation in seasonal population experienced by Alpine Springs and Squaw Valley, which was not specifically recognized in the allocations, without contravening the objective of minimizing adverse environmental impacts. It is consistent with both the EIS for the T-TSA treatment plant project and the North Lahontan Basin Plan (6A).

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<sup>25/</sup> These limitations are derived from the winter population projections for Alpine Springs and Squaw Valley, contained in Appendix O of the EIS, and the growth rates used in Table 21 of the EIS. They provide that the T-TSA plant may receive peak use flows from Squaw Valley and Alpine Springs in accordance with their winter needs as set forth in Appendix O.

With the above-stated qualifications, and if T-TSA and its member entities concur in the relief provided Alpine Springs and Squaw Valley by this interpretation, variation in the Alpine Springs and Squaw Valley winter flows and in the total flow into the T-TSA plant above the present capacity allocations is permissible.

We must emphasize that we make the above interpretation of the T-TSA capacity allocations only as a result of compelling indications that the use which would be permitted in the Alpine Springs and Squaw Valley service areas as a result was anticipated by the EIS and that such use would not result in any environmental impacts substantially different from those analyzed in the EIS. Further, in the future we will not accept for consideration any requests for reinterpretation or modification of the T-TSA contract without prior concurrence of any T-TSA member entity which would lose capacity, as we originally stated in our earlier Order No. WQG 75-15.

At a very late stage in these proceedings (i.e., at the April 4, 1978 workshop concerning the draft order in this matter) several member entities of T-TSA raised the argument that the State Board should provide some relief to T-TSA and its member entities other than Squaw Valley and Alpine Springs with respect to their winter flow limitations to provide for infiltration and inflow.

As discussed above, our revised interpretation of the T-TSA capacity allocations is limited to providing a winter flow increase for Alpine Springs and Squaw Valley consistent with their projected populations as set forth in Appendix O of the EIS. It is not intended to provide for increased infiltration or inflow in the Squaw Valley or Alpine Springs area.

Although some small percentage of infiltration/inflow will exist in almost any collection and conveyance system, it was determined by T-TSA's own consultants at the time the T-TSA plant was designed that with reasonable control of infiltration/inflow summer waste flows would be the peak flows at the plant. The design (and construction) of the plant was accordingly based upon projected summer peak wasteflows without adding capacity for infiltration/inflow.<sup>26/</sup> We see no reason to draw a contrary conclusion from that drawn by T-TSA's own studies.

We have determined that the Regional Board's action in including flow limitations applicable to individual communities in the T-TSA waste discharge requirements was proper, but these limitations must be interpreted and applied consistent with this order. We likewise conclude that the findings of Order No. 6-77-27 are adequate to support the waste discharge requirements contained therein, since they demonstrate sufficiently the reasoning of the Regional Board

<sup>26/</sup> See the T-TSA Amended Project Report (referenced by the EIS and contained in the State Board files related to the T-TSA grant project) and the T-TSA Preliminary Design Report.



in reaching the conclusions contained in the Order.<sup>27/</sup>

SQUAW VALLEY REQUEST FOR INCREASED CAPACITY  
IN THE T-TSA PLANT, IN ORDER TO PROVIDE  
SERVICE TO BLYTH ARENA

The flow allocation contained in the grant contract represents an equitable distribution of available capacity in the T-TSA treatment plant, although it neither recognizes seasonal flow variations, nor provides for (or requires) capacity to be distributed further to individual customers of the communities served by the plant. Based upon Water Code Section 13260 and as indicated in our discussion above related to Alpine Meadows of Tahoe, Inc., it is inappropriate for us or for the Regional Board to recognize specific customers, such as the Blyth Arena, as entitled to a separate capacity allocation or to direct a public agency to provide service to a specific individual.

It is asserted that the waste treatment needs of Blyth Arena were overlooked by the EPA in the preparation of the EIS for the T-TSA treatment plant project. It is neither appropriate nor permissible for us to create a capacity allocation in the T-TSA plant for service requested by Blyth Arena or to direct that Squaw Valley provide such service. Neither is it productive to speculate as to specific uses and users included in the base population figures

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<sup>27/</sup> See Order No. WQ 77-16, concerning legal issues raised by the Pacific Water Conditioning Association Petition for Review of Orders Nos. 75-105 and 75-107 of the California Regional Water Quality Control Board, Santa Ana Region.

for the population projections found in Appendix O of the EIS. It would be extremely difficult and unproductive to try to determine at this time what particular individual users were or were not included in the base population figures at the time the projections were prepared. The EIS does not contain raw population survey data, any detailed explanation of the method of population survey, any discussion of possible inequities therein, or any basis for recognition of capacity specifically for Blyth Arena. The population projections were not intended to be a mechanism for determining which customers within an area would receive service, or for providing service to customers whose uses changed in the future.<sup>28/</sup> Significant capacity for growth over and above population levels at the time the plant was designed was included in the design of the T-TSA treatment plant and in the corresponding flow limitations. The member entities of T-TSA have the sole responsibility of determining how they will permit their capacity allocations to be used. Squaw Valley has the option of serving Blyth Arena with a part of its capacity allocation. Neither our previous order, nor the EIR, nor the T-TSA grant contracts assign the Squaw Valley allocation to individual users. In addition, other options exist for obtaining treatment capacity to serve Blyth Arena.

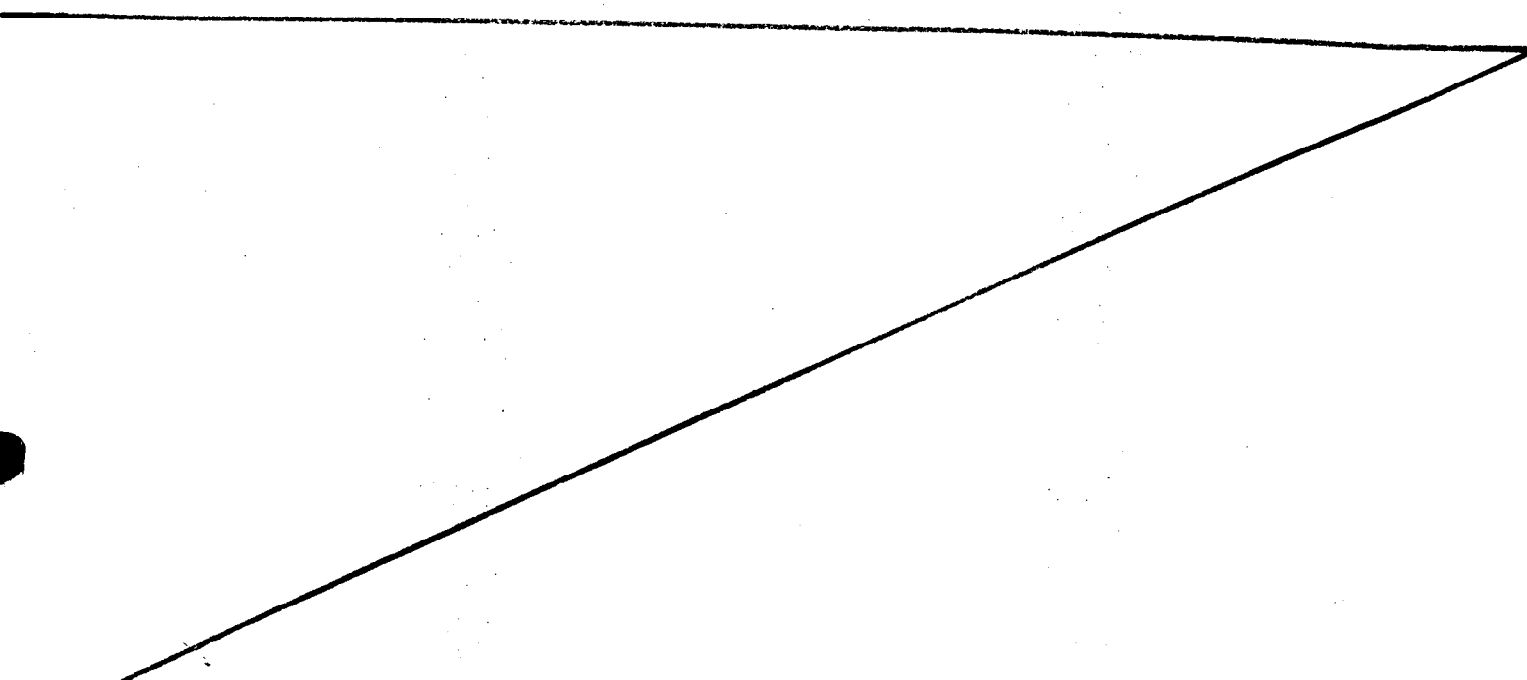
<sup>28/</sup> The Squaw Valley request for capacity indicates that capacity is desired in order to provide year-round waste service to Blyth Arena to accommodate expanded use of the Arena. In accordance with State and Federal Grant Regulations, the EIS projections were based upon existing and historic populations rather than on wastewater production projections related to planning underway in the area.

Among them are improvement in control of infiltration and inflow, obtaining capacity from another T-TSA member entity, and planning for capacity in an expansion of the T-TSA plant. This order does not preclude obtaining capacity by any of these means. Certainly, any expansion of facilities at Blyth Arena will require extensive environmental and financial analysis, which should include analysis of waste treatment alternatives.

For the above-stated reasons we deny the Squaw Valley Request for Capacity to serve Blyth Arena. This denial, however, would not preclude our approval of an increase in Squaw Valley's allocation if capacity is obtained from another member entity with its consent, in accordance with this order and Order No. WQG 75-15.

#### C. OTHER CONTENTIONS

Although some additional issues were raised by the parties to these proceedings, we find it unnecessary to consider and discuss in detail each of the remaining contentions since the resolution of several of the issues as set forth above is dispositive of these proceedings.

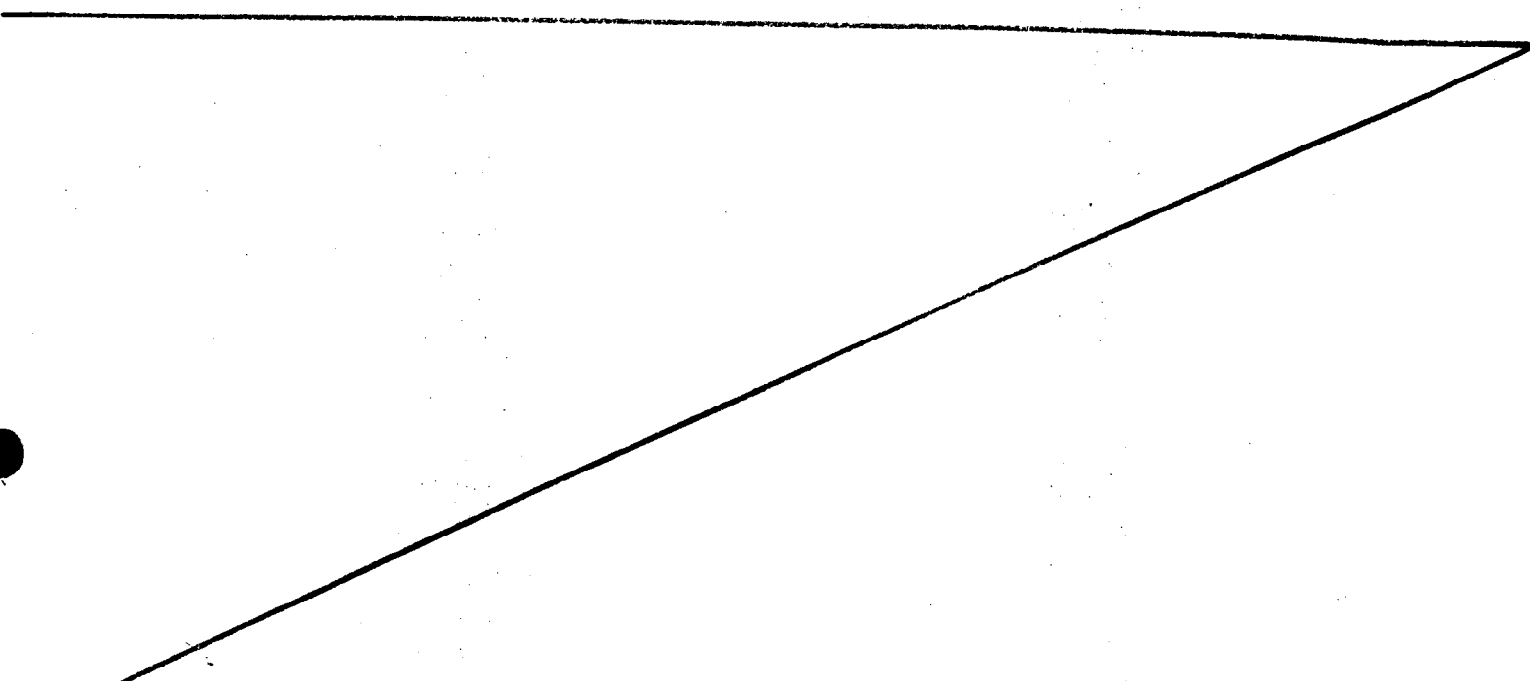


Among them are improvement in control of infiltration and inflow, obtaining capacity from another T-TSA member entity, and planning for capacity in an expansion of the T-TSA plant. This order does not preclude obtaining capacity by any of these means. Certainly, any expansion of facilities at Blyth Arena will require extensive environmental and financial analysis, which should include analysis of waste treatment alternatives.

For the above-stated reasons we deny the Squaw Valley Request for Capacity to serve Blyth Arena. This denial, however, would not preclude our approval of an increase in Squaw Valley's allocation if capacity is obtained from another member entity with its consent, in accordance with this order and Order No. WQG 75-15.

#### C. OTHER CONTENTIONS

Although some additional issues were raised by the parties to these proceedings, we find it unnecessary to consider and discuss in detail each of the remaining contentions since the resolution of several of the issues as set forth above is dispositive of these proceedings.



### III. CONCLUSIONS

After review of the record, and for the reasons heretofore expressed, we have reached the following conclusions:

1. The Regional Board properly adopted Provision II.9. of Order No. 6-76-7, prohibiting the discharge of waste from the Alpine Springs County Water District treatment facility after January 1, 1978.

2. The Regional Board's inclusion of flow limitations in waste discharge requirements for T-TSA adopted pursuant to Water Code, Division 7, Chapter 4, did not violate provisions of the California Environmental Quality Act or Sections 13260, 13263 and 13360 of the Water Code.

3. The Regional Board properly adopted the flow limitations specified in our Order No. WQG 75-15, in Order No. 6-77-27, containing waste discharge requirements for the regional treatment plant of the Tahoe-Truckee Sanitation Agency. However, we have found it necessary to clarify herein the intent of Order No. WQG 75-15.

4. The Regional Board properly adopted Discharge Specification I.A.2. of Order No. 6-76-7, containing a flow restriction on waste discharges from the Alpine Springs County Water District Treatment Plant effective for the period until the date that the T-TSA regional treatment plant became available to receive wastes from Alpine Springs.

5. Information contained in the EIS for the T-TSA treatment plant project indicates that Alpine Springs and Squaw Valley have higher winter wastewater flows than summer flows (up to the limits specified herein), and that our grant contract with T-TSA should be read to permit an equitable adjustment in the winter flow limits only for Alpine Springs and Squaw Valley, so long as the T-TSA plant meets all other applicable discharge specifications.

IV. ORDER

IT IS HEREBY ORDERED that:

1. The Alpine Springs County Water District Petition for Review of Order No. 6-76-7 of the California Regional Water Quality Control Board, Lahontan Region, is denied.

2. The Alpine Springs County Water District and the Tahoe-Truckee Sanitation Agency Petitions for Review of Order No. 6-77-27 of the California Regional Water Quality Control Board, Lahontan Region, are denied.

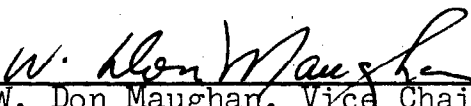
3. The Alpine Meadows of Tahoe, Inc., Petition to Intervene in the Alpine Springs County Water District Petitions for Review of Orders Nos. 6-76-7 and 6-77-27 of the California Regional Water Quality Control Board, Lahontan Region, is accepted for review but denied on its merits.

4. We intend to interpret our contract with T-TSA as set forth at page 38, above, and the California Regional Water Quality Control Board, Lahontan Region, is directed to administer Order No. 6-77-27 in accordance with the terms of this Order regarding increased winter flows for Alpine Springs and Squaw Valley,


and the corresponding increase in total flows to the T-TSA plant, unless on or before thirty days from the date of adoption of this order T-TSA or one of its member entities files with the State Water Resources Control Board written notice of objection to the relief provided to Alpine Springs and Squaw Valley by our revised interpretation, accompanied by a statement of the grounds for such objection.

5. Upon the filing of a written objection as described in paragraph 4 the State Water Resources Control Board will within thirty days from the date of filing modify this order if appropriate. If no such modification occurs, this order shall take effect on the thirty-first day after the date objection is filed and shall be served upon the parties hereto.

Dated: APR 20 1978

  
W. Don Maughan, Vice Chairman

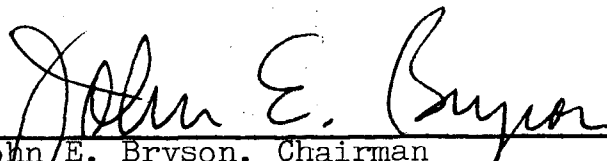
Effective: MAY 22 1978

  
W. W. Adams, Member

STATEMENT OF JOHN E. BRYSON  
CONCURRING IN PART AND DISSENTING  
IN PART FROM THE BOARD ORDER

I concur in the Order of the Board except insofar as it permits flow to the T-TSA treatment plant in excess of 4.83 mgd. In my opinion, based on data contained in the EIS prepared for the T-TSA project, Squaw Valley and Alpine Springs are entitled to some relief from their capacity allocations during

the winter time. I dissent, however, from providing that relief in such a way that total waste flows to the T-TSA plant are permitted in excess of 4.83 mgd prior to conducting a new environmental impact analysis to comply with the California Environmental Quality Act and to supplement or amend the EIS.



John E. Bryson, Chairman  
Concurring in part, dissenting in part.



STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Pacific Gas and Electric Company, )  
Potrero Powerplant to Cease and Desist from )  
Discharging and/or Threatening to Discharge )  
Wastes Contrary to Requirements Prescribed by )  
the California Regional Water Quality Control )  
Board, San Francisco Bay Region (NPDES CA0005657) )  
)

The California Water Resources Control Board finds that:

- A. On May 18, 1976, the California Regional Water Quality Control Board, San Francisco Bay Region, adopted Order No. 76-61, an NPDES permit prescribing waste discharge requirements for the discharge from Pacific Gas and Electric Company's Potrero steam generating electric powerplant, hereinafter referred to as the discharger.
- B. The waste discharge requirements provide, in part, as follows:

"A. Effluent Limitations

. . . .

- 2. Waste 003 shall not contain constituents in excess of the following limits:

<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u>	<u>Maximum Daily</u>
a. Total Suspended Solids	mg/l lb/day	30 1.5	100 5.0
. . . .			
c. Total Copper*	mg/l lbs/day	1.0 0.05	1.0 0.05
d. Total Iron*	mg/l lbs/day	1.0 0.05	1.0 0.05

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\* Incremental increase above levels in low volume waste stream."

- C. Self-monitoring and other reports and testimony before this Board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B. of this Order.
- D. On October 9, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric powerplants. The FWPCA required adherence with said standards by July 1, 1977.
- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Regional Board Order No. 76-61.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 76-61 as shown in Finding B. above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Pacific Gas and Electric Company, )  
 Hunters Point Powerplant to Cease and Desist )  
 from Discharging and/or Threatening to Discharge )  
 Wastes Contrary to Requirements Prescribed by the )  
 California Regional Water Quality Control Board, )  
 San Francisco Bay Region (NPDES CA0005649) )  
 )

The California Water Resources Control Board finds that:

A. On May 18, 1976, the California Regional Water Quality Control Board, San Francisco Bay Region, adopted Order No. 76-60, an NPDES permit prescribing waste discharge requirements for the discharge from Pacific Gas and Electric Company's Hunters Point steam-generating electric powerplant, hereinafter referred to as the discharger.

B. The waste discharge requirements provide, in part, as follows:

"A. Effluent Limitations

. . .

2. Wastes 003a. and 003b. shall not contain constituents in excess of the following limits:

<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u>	<u>Maximum Daily</u>
a. Total Suspended Solids	mg/l	30	100
	lbs/day	12	25
. . .			
c. Total Copper	mg/l	1.0	1.0
	lbs/day	0.3	0.3
d. Total Iron	mg/l	1.0	1.0
	lbs/day	0.3	0.3"

C. Self-monitoring and other reports from the discharger and testimony before this Board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B. of this Order.

- D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric powerplants. The FWPCA required adherence with said standards by July 1, 1977.
- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 76-60.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 76-60 as shown in Finding B. above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B. above.
- B. The discharger shall comply with Regional Board Order No. 76-60 Sections A.2.a., A.2.c., and A.2.d. in so far as they apply to boiler blowdown and low volume wastes in accordance with the following time schedule:

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B. above.
- B. The discharger shall comply with Regional Board Order No. 76-61 sections A.2.a., A.2.c., and A.2.d. in so far as they apply to boiler blowdown wastes and low volume wastes in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a. Complete construction and achieve full compliance	August 1, 1978	August 15, 1978
C. The discharger shall submit to the Regional Board with a copy to the State Board by not later than April 15, 1978, a report on the feasibility of discharging some or all of the boiler blowdown and low volume wastes to the San Francisco City sewer system on an interim basis pending completion of treatment facilities.		
D. This Order applies only to that portion of Waste 003 that consists of boiler blowdown wastes and low volume wastes.		
E. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.		
F. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate action against the discharger, including injunction and civil monetary remedies, if appropriate.		

I, Executive Director, do hereby certify the foregoing is a full,  
true, and correct copy of an Order adopted by the California  
Water Resources Control Board, on MAR 16 1978.

*Rory F. Walker*  
Executive Director

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a. Complete construction and achieve full compliance	December 1, 1978	December 15, 1978
C. This Order applies only to that portion of Wastes 003a. and 003b. that consists of boiler blowdown.		
D. The discharger shall submit to the Regional Board with a copy to the State Board by not later than April 15, 1978, a report on the feasibility of discharging some or all of the boiler blowdown and low volume wastes to the San Francisco City sewer system on an interim basis pending completion of treatment facilities.		
E. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.		
F. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.		

I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board, on MAR 16 1978

*Randy D. Walker*  
Executive Director





STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Pacific Gas and Electric Company, Oleum Power Plant to Cease and Desist from Discharging and/or Threatening to Discharge Wastes Contrary to Requirements Prescribed by the California Regional Water Quality Control Board, San Francisco Bay Region (NPDES CA0005631)

The California Water Resources Control Board finds that:

- A. On May 18, 1976, the California Regional Water Quality Control Board, San Francisco Bay Region, adopted Order No. 76-62, an NPDES permit prescribing waste discharge requirements for the discharge from Pacific Gas and Electric Company's Oleum steam-generating power plant, hereinafter referred to as the discharger.
- B. The waste discharge requirements provide, in part, as follows:
  - "A. Effluent Limitations:

. . .

- 2. Waste 002 shall not contain constituents in excess of the following limits:

<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u>	<u>Maximum Daily</u>
a. Total Suspended Solids	mg/l	30	100
	lbs/day	84	185
. . .			
c. Total Copper*	mg/l	1.0	1.0
	lbs/day	1.9	1.9
d. Total Iron*	mg/l	1.0	1.0
	lbs/day	1.9	1.9

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\*Incremental increase above low-volume water concentration"

- C. Self-Monitoring and other reports from the discharger and testimony before this board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B of this Order.
- D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric power plants. The FPWCA required adherence with said standards by July 1, 1977.
- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 76-62.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 76-62 as shown in Finding B above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq. in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B. above.
- B. The discharger shall comply with Regional Board Order No. 76-62, insofar as they apply to boiler blowdown and low volume wastes, Sections A.2.a., A.2.c., and A.2.d. in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a. Complete construction and achieve full compliance	April 1, 1979	April 15, 1979

- C. This Order applies only to that portion of Waste 002 that consists of boiler blowdown and low volume wastes.
- D. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.
- E. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board on MAR 16 1978

  
Executive Director

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STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Pacific Gas and Electric Company, Avon Power Plant to Cease and Desist from Discharging And/Or Threatening to Discharge Wastes Contrary to Requirements Prescribed by the California Regional Water Quality Control Board, San Francisco Bay Region (NPDES CA0004871)

The California Water Resources Control Board finds that:

- A. On December 17, 1974, the California Regional Water Quality Control Board, San Francisco Bay Region, adopted Order No. 74-202, an NPDES permit prescribing waste discharge requirements for the discharge from Pacific Gas and Electric Company's Avon steam-generating electric power plant, hereinafter referred to as the discharger.
- B. On July 20, 1976, the Regional Board adopted Order No. 76-73, amending Order No. 74-202.
- C. The amended waste discharge requirements provide, in part, as follows:

"A. Effluent Limitations to be met by July 1, 1977, or as otherwise specified below:

- 1. The discharge of Waste 001 containing constituents in excess of the following limits is prohibited:

<u>Constituent</u>	<u>Units</u>	<u>30-Day Average</u>	<u>Maximum Daily</u>
...			
b. Iron, total*	lb/day	0.260	1.62
	kg/day	0.117	0.735
	mg/l	0.10	0.39

\*Limitations incremental with respect to intake water from Contra Costa Canal."

	<u>Constituent</u>	<u>Units</u>	<u>30-Day Average</u>	<u>Maximum Daily</u>
c.	Copper, total*	lb/day	0.260	1.62
		kg/day	0.117	0.735
		mg/l	0.10	0.39
d.	Total suspended solids*	lb/day	56.3	324
		kg/day	25.5	147
		mg/l	22	78

. . .

- D. Self-Monitoring and other reports from the discharger and testimony before this board indicate that the discharger is violating or threatens to violate the requirements listed in Finding C of this Order.
- E. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric power plants. The FWPCA required adherence with said standards by July 1, 1977.
- F. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Orders Nos. 74-202 and 76-73.
- G. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

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\*Limitations incremental with respect to intake water from Contra Costa Canal."

- H. The discharger's past attempts to comply with the BPCTCA standards required in Orders Nos. 74-202 and 76-73 as shown in Finding C above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- I. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding C above.
- B. The discharger shall comply with Regional Board Order No. 74-202 (as amended by Order No. 76-73) Sections A.l.b., A.l.c., and A.l.d. in accordance with the following time schedule:

Task	Compliance Date	Report of Compliance Due
a. Complete construction and achieve full compliance	April 1, 1979	April 15, 1979

- C. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.
- D. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Executive Director, do hereby certify the foregoing is a full,  
true, and correct copy of an Order adopted by the California Water  
Resources Control Board, on MAR 16 1978

*Larry Z. Walker*  
Executive Director



STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Pacific Gas and Electric Company, Martinez Power Plant to Cease and Desist From Discharging And/Or Threatening to Discharge Waste Contrary to Requirements Prescribed by the California Regional Water Quality Control Board, San Francisco Bay Region (NPDES CA0004049)

The California Water Resources Control Board finds that:

A. On December 17, 1974, the California Regional Water Quality Control Board, San Francisco Bay Region, adopted Order No. 74-203, an NPDES permit prescribing waste discharge requirements for the discharge from Pacific Gas and Electric Company's Martinez steam-generating electric power plant, hereinafter referred to as the discharger.

B. The waste discharge requirements provide, in part, as follows:

"A. Effluent Limitations

1. The discharge of Waste 001 containing constituents in excess of the following limits is prohibited:

<u>Constituents</u>	<u>Units</u>	<u>30-Day Average</u>	<u>Maximum Daily</u>
. . .			
b. Iron, total*	lb/day	0.260	1.74
	kg/day	0.117	0.789
	mg/day	0.10	0.42
c. Copper, total*	lb/day	0.260	1.74
	kg/day	0.117	0.789
	mg/day	0.10	0.42
d. Total suspended solids*	lb/day	52.8	324
	kg/day	24.0	147
. . .	mg/l	21	78

\*Limitations incremental with respect to intake water from Contra Costa Canal."

- C. Self-monitoring and other reports from the discharger and testimony before this Board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B of this Order.
- D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric power plants. The FWPCA required adherence with said standards by July 1, 1977.
- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 74-203.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 74-203 as shown in Finding B above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B above.
- B. The discharger shall comply with Regional Board Order No. 74-203, Sections A.l.b., A.l.c., and A.l.d. insofar as they apply to boiler blowdown and low volume wastes in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a. Complete construction and achieve full compliance	April 1, 1979	April 1, 1979
C. This Order applies only to that portion of Waste 001 consisting of boiler blowdown and low volume wastes.		
D. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.		
E. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.		

I, Executive Director, do hereby certify the foregoing as a full, true, and correct copy of an Order adopted by the California Water Resources Control Board, on MAR 16 1978

  
Executive Director

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STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Southern California Edison Company, )  
Mandalay Generating Station to Cease and Desist )  
from Discharging and/or Threatening to Discharge )  
Wastes Contrary to Requirements Prescribed by the )  
California Regional Water Quality Control Board, )  
Los Angeles Region (NPDES CA0001180) )

The California Water Resources Control Board finds that:

A. On February 28, 1977, the California Regional Water Quality Control Board, Los Angeles Region, adopted Order No. 77-51, an NPDES permit prescribing waste discharge requirements for the discharge from Southern California Edison Company's Mandalay stream-generating electric powerplant, hereinafter referred to as the discharger.

B. The waste discharge requirements provide, in part, as follows:

"A Effluent Limitations:

. . .

2. Effluent Limitations for Discharge Serial No. 001:

. . .

c. The discharge of an effluent from Discharge Serial No. 001 in excess of the following limits after July 1, 1977, is prohibited:

<u>Constituent</u>	<u>Discharge Rate</u> (lbs/day)		<u>Concentration</u> <u>Limit</u>	<u>Daily</u> <u>Maximum</u>
	<u>Maximum</u> <u>Daily</u>	<u>30-day</u> <u>Average</u>	<u>30-day</u> <u>Average</u>	
Free Available Chlorine	*	*	0.2	0.5

\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of once-through cooling water.

"Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Board that the units in a particular location cannot operate at or below this level of chlorination (such as at times when red tide conditions create excessive corrosion effects).

. . . .

"B. Effluent Limitations for Inplant Waste Streams:

1. The discharge of an effluent for the following waste categories in excess of the following limits after July 1, 1977, is prohibited. If the Administrator of the Environmental Protection Agency concurs regarding fundamental difference as discussed in Findings 16, 17, 18, and 19 the effluent limitations in Items B.1.a., B.1.b., and B.1.c. are not applicable.

. . . .

b. Boiler Blowdown:

<u>Constituent</u>	<u>Discharge Rate</u> (lbs/day)		<u>Concentration Limit</u> (mg/l)	
	<u>Maximum</u>	<u>30-Day Average</u>	<u>30-Day Average</u>	<u>Daily</u>
	<u>Daily</u>			<u>Maximum</u>
.....				
Copper	*	*	1.0	1.0
Iron	*	*	1.0	1.0
.....				

\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of the specified wastes.

c. Receiving Water Limitations:

.....

2. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally. Compliance with this limitation shall be determined from samples collected at stations representative of the area within the waste field where initial dilution is completed."

c. Self-monitoring and other reports from the discharger and testimony before this board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B of this Order.

d. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants

from steam-generating electric power plants. The FWPCA required adherence with said standards by July 1, 1977.

- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 77-52.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 77-52 as shown in Finding B above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B above.
- B. The discharger shall comply with Regional Board Order No. 77-52. Sections A.2.c., B.1.a. (copper and iron limitations), B.1.b. (copper and iron limitations), and C.2. in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance</u>
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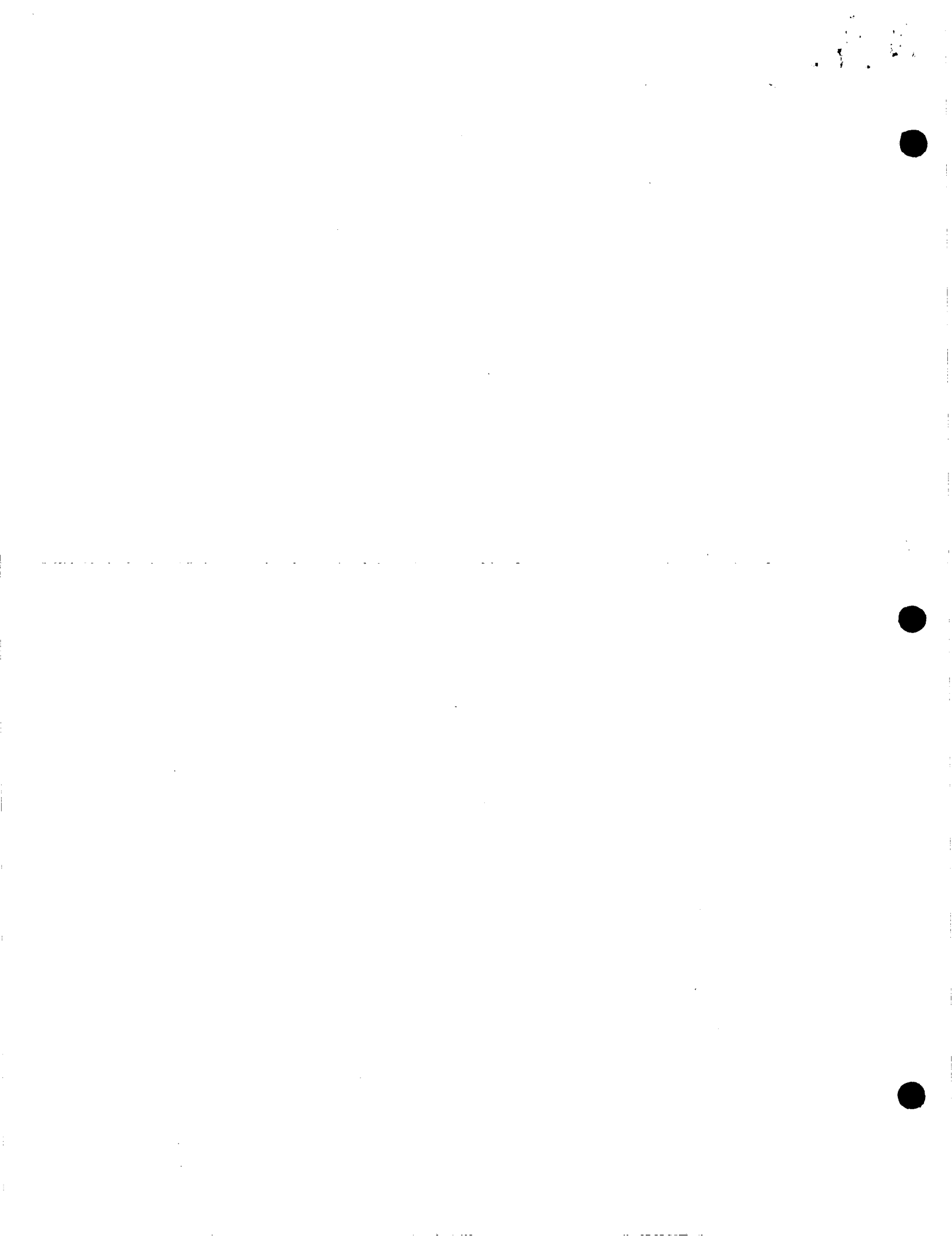
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|-------------------------------------------------|---------------|----------------|
| a. Complete construction and achieve compliance | April 1, 1979 | April 15, 1979 |
|-------------------------------------------------|---------------|----------------|

- C. This Order applies to the boiler blowdown from the two small auxiliary boilers described in the discharger's letter to this Board dated October 13, 1977 and to no other boiler blowdown.



- D. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.
- E. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.
- I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board, on **MAR 16 1978**

  
Executive Director



STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Southern California Edison Company, )  
 Long Beach Generating Station to Cease and Desist )  
 from Discharging and/or Threatening to Discharge )  
 Wastes Contrary to Requirements Prescribed by the )  
 California Regional Water Quality Control Board, )  
 Los Angeles Region (NPDES CA0001171) )

The California Water Resources Control Board finds that:

A. On February 28, 1977, the California Regional Water Quality Control Board, Los Angeles Region, adopted Order No. 77-49, an NPDES permit prescribing waste discharge requirements for the discharge from Southern California Edison Company's Long Beach steam generating electric powerplant, hereinafter referred to as the discharger.

B. The waste discharge requirements provide, in part, as follows:

"A. Effluent Limitations:

. . .

2. Effluent Limitations for Discharge Serial No. 001:

. . .

c. The discharge of an effluent from Discharge Serial No. 001 in excess of the following limits after July 1, 1977, is prohibited:

<u>Constituent</u>	<u>Discharge Rate</u> (lbs/day)		<u>Concentration</u> <u>Limit</u>	<u>Daily</u> <u>Maximum</u>
	<u>Maximum</u> <u>Daily</u>	<u>30-day</u> <u>Average</u>	<u>30-day</u> <u>Average</u>	
Free Available Chlorine	*	*	0.2	0.5

\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of once through cooling water.

"Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Board that the units in a particular location cannot operate at or below this level of chlorination (such as at times when red tide conditions create excessive corrosion effects).

. . .

"B. Effluent Limitations for Inplant Waste Streams:

1. The discharge of an effluent for the following waste categories in excess of the following limits after July 1, 1977, is prohibited. If the Administrator of the Environmental Protection Agency concurs regarding fundamental difference as discussed in Findings 19, 20, and 21 the effluent limitations in Items B.1.a., B.1.b., and B.1.c. are not applicable.

. . .

b. Boiler Blowdown:

<u>Constituent</u>	<u>Discharge Rate (lbs/day)</u>		<u>Concentration Limit</u>	<u>Daily Maximum</u>
	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>30-day Average</u>	
Suspended Solids	*	*	30	100
Oil and Grease	*	*	15	20
Copper	*	*	1.0	1.0
Iron	*	*	1.0	1.0

\* The discharge rate limitation shall be determined using the tabulated concentration limits and flow rate of the specified wastes.

C. Receiving Water Limitations:

2. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally. Compliance with this limitation shall be determined from samples collected at stations representative of the area within the waste field where initial dilution is completed."

C. Self-monitoring and other reports from the discharger and testimony before this board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B. of this Order.

D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric power plants. The FWPCA required adherence with said standards by July 1, 1977.

E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 77-49.

F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 77-49 as shown in Finding B. above, by the July 1, 1977 deadline, cannot be found to have been duly diligent.

H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B. above.
- B. The discharger shall comply with Regional Board Order No. 77-49. Sections A.2.c., B.1.b. (copper and iron limitations only for Units 8R and 9), and C.2. in accordance with the following time schedule:

<u>Task</u>	<u>Achieve Compliance</u>	<u>Report of Compliance Due</u>
a. Complete construction and achieve compliance	April 1, 1979	April 15, 1979

- C. The boiler blowdown from Units 8R and 9 shall be directed to a retention basin for partial treatment prior to discharge in accordance with the commitment made in the discharger's letter to this Board dated October 13, 1977.
- D. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.
- E. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Executive Director, do hereby certify the foregoing is a full,  
true, and correct copy of an Order adopted by the California  
Water Resources Control Board on MAR 16 1978

  
Executive Director





STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Southern California Edison Company, )  
Ormond Beach Generating Station to Cease and Desist, )  
from Discharging and/or Threatening to Discharge )  
Wastes Contrary to Requirements Prescribed by the )  
California Regional Water Quality Control Board, )  
Los Angeles Region (NPDES CA0001198) )

The California Water Resources Control Board finds that:

A. On February 28, 1977, the California Regional Water Quality Control Board, Los Angeles Region, adopted Order No. 77-52, an NPDES permit prescribing waste discharge requirements for the discharge from Southern California Edison Company's Ormond Beach steam generating electric power plant, hereinafter referred to as the discharger.

B. The waste discharge requirements provide, in part, as follows:

"A. Effluent Limitations

. . . .

2. Effluent Limitations for Discharge Serial No. 001:

. . . .

c. The discharge of an effluent from Discharge Serial No. 001 in excess of the following limits after July 1, 1977, is prohibited:

Constituent	Discharge Rate (lbs/day)		Concentration Limit (mg/l)	
	Maximum Daily	30-Day Average	30-Day Average	Daily Maximum
Free Available chlorine	*	*	0.2	0.5

\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of once-through cooling water.

"Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Board that the units in a particular location cannot operate at or below this level of chlorination (such as at times when red tide conditions create excessive corrosion effects).

. . . . .

B. Effluent Limitations for Inplant Waste Streams:

1. The discharge of an effluent for the following waste categories in excess of the following limits after July 1, 1977, is prohibited. If the Administrator of the Environmental Protection Agency concurs regarding fundamental difference as discussed in Findings 23, 24, 25, and 26 the effluent limitations in Items Bla, Blb, and Blc, are not applicable.

a. Metal Cleaning Wastes:

<u>Constituent</u>	<u>Discharge Rate</u> (lbs/day)		<u>Concentration Limit</u> (mg/l)	
	<u>Maximum</u>	<u>30-Day Average</u>	<u>30-Day Average</u>	<u>Daily</u>
	<u>Daily</u>			<u>Maximum</u>
. . . . .				
Copper	*	*	1.0	1.0
Iron	*	*	1.0	1.0

\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of metal cleaning wastes.

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Southern California Edison Company, El Segundo Generating Station to Cease and Desist from Discharging And/Or Threatening to Discharge Wastes Contrary to Requirements prescribed by the California Regional Water Quality Control Board, Los Angeles Region (NPDES CA0001147)

The California Water Resources Control Board finds that:

A. On February 28, 1977, the California Regional Water Quality Control Board, Los Angeles Region, adopted Order No. 77-48, an NPDES permit prescribing waste discharge requirements for the discharge from Southern California Edison Company's El Segundo steam-generating electric power plant, hereinafter referred to as the discharger.

B. The waste discharge requirements provide, in part, as follows:

"B. Effluent Limitations

...

2. Effluent Limitations for Discharge Serial Nos. 001 and 002:

...

c. The discharge of an effluent from Discharge Serial Nos. 001 and 002 in excess of the following limits after July 1, 1977, is prohibited:

<u>Constituent</u>	<u>Discharge Rate (lbs/day)</u>		<u>Concentration Limit (mg/l)</u>	
	<u>Maximum Daily</u>	<u>30-Day Average</u>	<u>30-Day Average</u>	<u>Daily Maximum</u>
Free available chlorine	*	*	0.2	0.5

\*The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of once through cooling water.

Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Board that the units in a particular location cannot operate at or below this level of chlorination (such as at times when red tide conditions create excessive corrosion effects).

. . .

C. Effluent Limitations for Inplant Waste Streams:

. . .

2. The discharge of an effluent for the following waste categories in excess of the following limits after July 1, 1977, is prohibited. If the Administrator of the Environmental Protection Agency concurs regarding fundamental difference as discussed in Findings 16, 17, and 18, the effluent limitations in Items C2a, C2b, and C2c are not applicable.

. . .

b. Boiler Blowdown:

<u>Constituent</u>	<u>Discharge Rate (lbs/day)</u>		<u>Concentration Limits (mg/l)</u>	
	<u>Maximum Daily</u>	<u>30-Day Average</u>	<u>30-Day Avg.</u>	<u>Daily Maximum</u>
Copper	*	*	1.0	1.0
Iron	*	*	1.0	1.0

\*The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of the specified

- C. Self-Monitoring and other reports from the discharger, and testimony before this board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B of this order.
- D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric power plants. The FWPCA required adherence with said standards by July 1, 1977.
- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 77-48.
- F. On Monday, October 3, 1977, in Room 1311 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 77-48 as shown in Finding B above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B above.
- B. The discharger shall comply with Regional Board Order No. 77-48, Sections B.2.c. and C.2.b. (copper and iron limitations) in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a. Complete construction and achieve compliance	April 1, 1979	April 15, 1979

- C. The discharger shall direct all boiler blowdown to retention basins for partial treatment prior to discharge in accordance with the commitment contained in the discharger's letter to this board dated October 13, 1977.
- D. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.
- E. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board. MAR 16 1978

  
Executive Director

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring City of Los Angeles, Department )  
of Water and Power, Scattergood Generating )  
Station to Cease and Desist from Discharging )  
and/or Threatening to Discharge Wastes Contrary )  
to Requirements Prescribed by the California )  
Regional Water Quality Control Board, )  
Los Angeles Region (NPDES CA0000370) )  
)

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The California Water Resources Control Board finds that:

- A. On April 25, 1977, the California Regional Water Quality Control Board, Los Angeles Region, adopted Order No. 77-72, an NPDES permit prescribing waste discharge requirements for the discharge from the City of Los Angeles, Department of Water and Power's Scattergood steam-generating electric powerplant, hereinafter referred to as the discharger.
- B. The waste discharge requirements provide, in part, as follows:

. . .

"B. Effluent Limitations for Inplant Waste Streams:

1. The discharge of an effluent for the following waste categories in excess of the following limits after July 1, 1977, is prohibited. If the Administrator of the Environmental Protection Agency concurs regarding fundamental difference as discussed in Findings 19, 20, and 21, the effluent limitations in Item B.1.a., B.1.b., B.1.c., and B.1.d. are not applicable.

. . .

c. Boiler Blowdown:

<u>Constituent</u>	<u>Discharge Rate (lbs/day)</u>		<u>Concentration Limit (mg/l)</u>	
	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>30-day Average</u>	<u>Daily Maximum</u>
Suspended Solids	*	*	30	100
Oil and Grease	*	*	15	20
Copper	*	*	1.0	1.0
Iron	*	*	1.0	1.0

d. Low Volume Wastes

<u>Constituent</u>	<u>Discharge Rate (lbs/day)</u>		<u>Concentration Limit (mg/l)</u>	
	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>30-day Average</u>	<u>Daily Maximum</u>
Suspended Solids	*	*	30	100
Oil and Grease	*	*	15	20"

- C. Self-monitoring and other reports from the discharger and testimony before this Board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B. of this Order.
- D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric powerplants. The FWPCA required adherence with said standards by July 1, 1977.

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\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of the specified wastes.



- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 77-72.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharge appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 77-72 as shown in Finding B. above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B. above.
- B. The discharger shall comply with Regional Board Order No. 77-72 Sections B.1.c. and B.1.d. in accordance with the following time schedule:

	<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a.	Complete construction and achieve compliance	April 1, 1979	April 15, 1979
C.	The discharger shall route most of the low volume wastes to holding ponds and those low volume wastes requiring oil treatment through an oil water separator for partial treatment prior to discharge in accordance with the committment made by Mr. Gladbach in testimony before this Board.		

D. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.

E. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board, on MAR 16 1978

  
Executive Director

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring the City of Los Angeles, )  
Department of Water and Power, Haynes Generating )  
Station to Cease and Desist from Discharging )  
and/or Threatening to Discharge Wastes Contrary )  
to Requirements Prescribed by the California )  
Regional Water Quality Control Board, Los )  
Angeles Region (NPDES CA0000353) )  
)

The California Water Resources Control Board finds that:

A. On April 25, 1977, the California Regional Water Quality Control Board, Los Angeles Region, adopted Order No. 77-70, an NPDES permit prescribing waste discharge requirements for the discharge from the City of Los Angeles, Department of Water and Power's Haynes steam-generating electric powerplant, hereinafter referred to as the discharger.

B. The waste discharge requirements provide, in part, as follows:

. . .

"B. Effluent Limitations for Inplant Waste Streams:

1. The discharge of an effluent for the following waste categories in excess of the following limits after July 1, 1977, is prohibited. If the Administrator of the Environmental Protection Agency concurs regarding fundamental difference as discussed in Findings 18, 19, 20, and 21, the effluent limitations in Items B.1.a., B.1.b., and B.1.c. are not applicable.

. . .

b. Boiler Blowdown:

<u>Constituent</u>	<u>Discharge Rate (lbs/day)</u>		<u>Concentration Limit</u>	<u>Daily Maximum</u>
	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>30-day Average</u>	
Suspended Solids	*	*	30	100
Oil and Grease	*	*	15	20
Copper	*	*	1.0	1.0
Iron	*	*	1.0	1.0

c. Low Volume Wastes  
(except secondary treated municipal wastewater):

<u>Constituent</u>	<u>Discharge Rate (lbs/day)</u>		<u>Concentration Limit</u>	<u>Daily Maximum</u>
	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>30-day Average</u>	
Suspended Solids	*	*	30	100
Oil and Grease	*	*	15	20 "

C. Self-monitoring and other reports from the discharger and testimony before this Board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B. of this Order.

D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric powerplants. The FWPCA required adherence with said standards by July 1, 1977.

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\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of the specified wastes.

- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 77-70.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 77-70 as shown in Finding B. above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B. above.
- B. The discharger shall comply with Regional Board Order No. 77-70. Sections B.1.b. and B.1.c. in accordance with the following time schedule:

	<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a.	Complete construction and achieve compliance	April 1, 1979	April 15, 1979

- C. The discharger shall route all boiler blowdown and low volume wastes through a settling basin and those low volume wastes requiring oil treatment through an oil water separator for partial treatment prior to discharge in accordance with the commitment made by the discharger in its written testimony before the Board.

- D. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.
- E. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.
- I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board, on MAR 16 1978

  
Executive Director

D. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board, on MAR 16 1978

  
Executive Director

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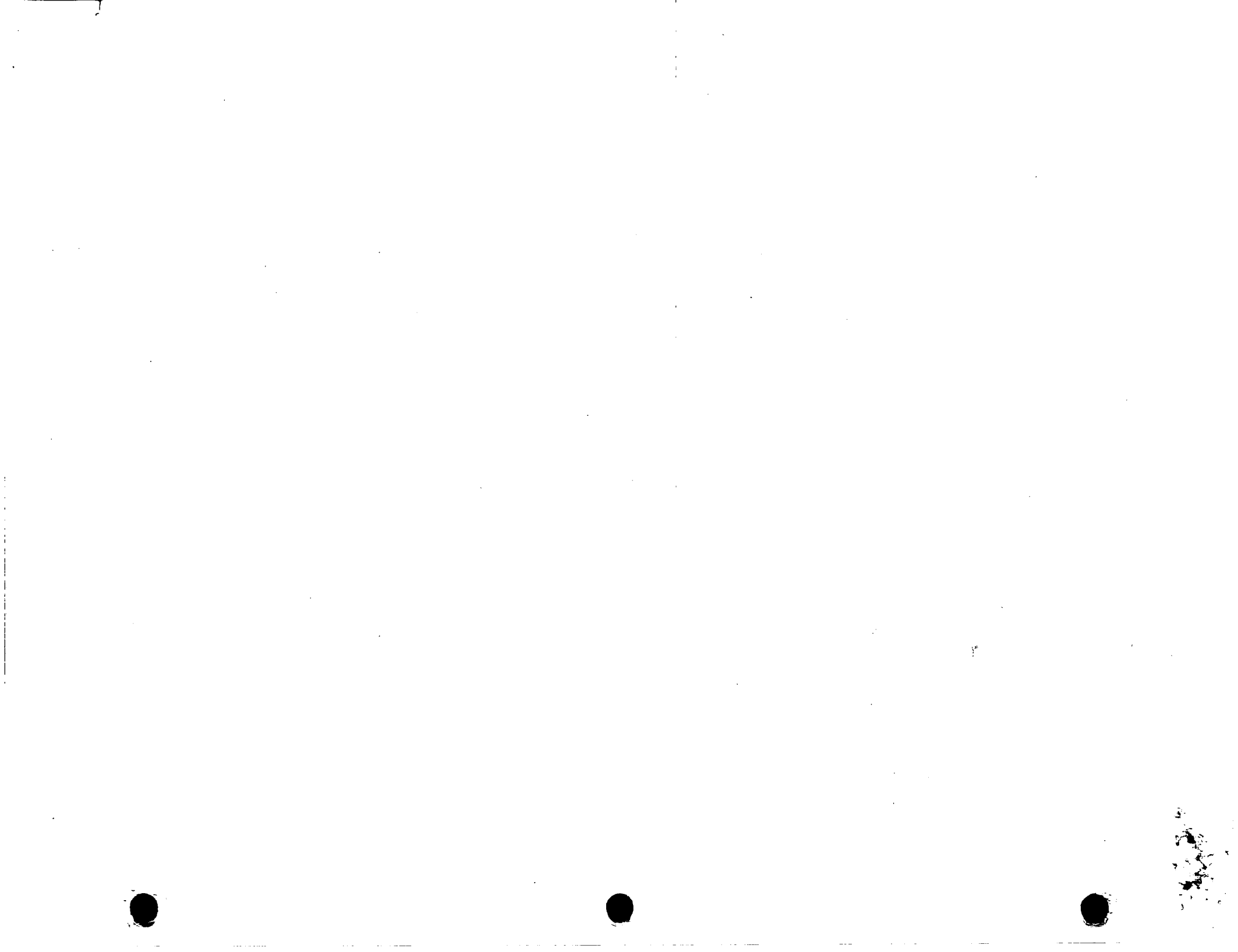




discharger, including injunction and civil monetary remedies, if appropriate.

I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board, on MAR 16 1978

  
Executive Director



STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Pacific Gas and Electric Company, )  
Pittsburg Power Plant to Cease and Desist from )  
Discharging and/or Threatening to Discharge )  
Wastes Contrary to Requirements Prescribed by the )  
California Regional Water Quality Control Board, )  
San Francisco Bay Region (NPDES CA0004880) )  
\_\_\_\_\_ )

The California Water Resources Control Board finds that:

A. On May 18, 1976, the California Regional Water Quality Control Board, San Francisco Bay Region, adopted Order No. 76-63, an NPDES permit prescribing waste discharge requirements for the discharge from Pacific Gas and Electric Company's Pittsburg steam generating electric power plant, hereinafter referred to as the discharger.

B. The waste discharge requirements provide, in part, as follows:

"A. Effluent Limitation

.....

2. Wastes 002, 005, and 006 shall not contain constituents in excess of the following limits:

<u>Constituent</u>	<u>Units</u>	<u>30-Day Average</u>	<u>Maximum Daily</u>
a. Total Suspended Solids	mg/l	30	100
	lbs/day(002)	15	50
	lbs/day(005)	45.1	100.1
	lbs/day(006)	3.2	7.0

.....

3. Wastes 003, 004(a), and 004(b) shall not contain constituents in excess of the following limits:

<u>Constituent</u>	<u>Units</u>	<u>30-Day Average</u>	<u>Maximum Daily</u>
a. Total Suspended Solids	mg/l	30	100
	lbs/day(003)	23.7	52.6
	lbs/day(004)	0.9	2.0
. . . . .			
c. Total Copper*	mg/l	1.0	1.0
	lbs/day(003)	0.8	0.8
	lbs/day(004)	0.04	0.04
d. Total Iron*	mg/l	1.0	1.0
	lbs/day(003)	0.8	0.8
	lbs/day(004)	0.04	0.04

\* Incremental increase above low volume waste concentration"

- C. Self-monitoring and other reports from the discharger and testimony before this Board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B of this Order.
- D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric power plants. The FWPCA required adherence with said standards by July 1, 1977.
- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 76-63.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared

and evidence was received concerning the discharge.

- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 76-63 as shown in Finding B above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B above.
- B. The discharger shall comply with Regional Board Order No. 76-63. Sections A.2.a., A.3.a., A.3.c., and A.3.d. in so far as they apply to boiler blowdown and low volume wastes, if any, other than air preheater wash, fireside wash, and hot process softener sludge in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a. Complete construction and achieve full compliance	September 1, 1978	September 15, 1978
C. This Order applies only to that portion, if any, of Wastes 002, 003, 004, 005, and 006 consisting of boiler blowdown wastes and low volume wastes other than air preheater wash, fireside wash, and hot process softener sludge.		
D. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.		

E. If the Regional Board Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board, on MAR 16 1978

  
Executive Director

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Pacific Gas and Electric Company, )  
 Contra Costa Powerplant to Cease and Desist from )  
 Discharging and/or Threatening to Discharge )  
 Wastes Contrary to Requirements Prescribed by )  
 the California Regional Water Quality Control )  
 Board, Central Valley Region (NPDES CA0004863) )  
 )

The California Water Resources Control Board finds that:

- A. On May 28, 1976, the California Regional Water Quality Control Board, Central Valley Region, adopted Order No. 76-133, an NPDES permit prescribing waste discharge requirements for the discharge from Pacific Gas and Electric Company's Contra Costa steam-generating electric powerplant, hereinafter referred to as the discharger.
- B. The waste discharge requirements provide, in part, as follows:

. . . .

"B. Effluent Limitations:

- 1. The discharge of an effluent in excess of the following limits after July 1, 1977 is prohibited:

- a) Discharge 001 and 002:

<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u>	<u>Daily Maximum</u>
Total Residual Chlorine	mg/l		0.0

. . . .

- b) Discharge 004A, 004B, 006 and 007:

<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u>	<u>Daily Maximum</u>
Total Suspended Solids*	mg/l	30	100

\* Allowable mass emission rates shall be calculated by multiplying the allowable concentration times the actual flow."

d) Discharge 003, 005, and 008:

<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u>	<u>Daily Maximum</u>
Total Suspended Solids*	mg/l	30	100 "

- C. Self-monitoring and other reports from the discharger and testimony before this Board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B. of this Order.
- D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric powerplants. The FWPCA required adherence with said standards by July 1, 1977.
- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 76-133.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 76-133 as shown in Finding B. above, by the July 1, 1977 deadline, cannot be found to be duly diligent.

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\* Allowable mass emission rates shall be calculated by multiplying the allowable concentration times the actual flow.



H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B. above.
- B. The discharger shall comply with Regional Board Order No. 76-133. Sections B.1.a., B.1.b., and B.1.d. in accordance with the following time schedules:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a) Discharge 005 & 008- Effluent Limit B.1.d.- Total Suspended Solids		
Complete construction and achieve full compliance	10/1/78	10/15/78
b) Discharge 004A, 004B, and 007 Effluent Limit B.1.b.-Total Suspended Solids		
Begin construction	5/1/78	5/15/78
Complete construction and achieve full compliance	1/1/79	1/15/79
c) Discharge 001 & 002- Effluent Limit B.1.a.- Total Residual Chlorine		
Achieve full compliance	7/1/79	7/15/79

- C. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.
- D. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.
- I. Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board, on MAR 16 1978

  
Executive Director

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Pacific Gas and Electric Company, )  
Morro Bay Powerplant to Cease and Desist from )  
Discharging and/or Threatening to Discharge )  
Wastes Contrary to Requirements Prescribed by the )  
California Regional Water Quality Control Board, )  
Central Coast Region (NPDES CA0003743) )

The California Water Resources Control Board finds that:

A. On April 9, 1976, the California Regional Water Quality Control Board, Central Coast Region, adopted Order No. 76-10, an NPDES permit prescribing waste discharge requirements for the discharge from Pacific Gas and Electric Company's Morro Bay steam-generating electric powerplant, hereinafter referred to as the discharger.

B. The waste discharge requirements provide, in part, as follows:

. . .

"B. Discharge Limitations

. . .

Discharge 002, . . . and 009

1. Effective July 1, 1977, the discharge shall not contain constituents in excess of the following limits:

<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u>	<u>Maximum</u>
Total Nonfiltrable Residual	mg/l	30	100
Oil and Grease	mg/l	15	20
Copper, Total	mg/l	1.0	1.0
Iron, Total	mg/l	1.0	1.0

2. Metal cleaning wastes, including rinses, shall be discharged at a rate which allows for a dilution of at least 1:1500 with the once-through cooling water."

- C. Self-monitoring and other reports from the discharger and testimony before this Board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B. of this Order.
- D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric powerplants. The FWPCA required adherence with said standards by July 1, 1977.
- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 76-10.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 76-10 as shown in Finding B. above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B. above.
- B. The discharger shall comply with Regional Board Order No. 76-10 as it applies to Discharges 002 and 009 in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a. Complete construction and achieve full compliance	December 1, 1978	December 15, 1978
C. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.		
D. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.		

I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board, on MAR 16 1978

  
Executive Director



STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Southern California Edison Company, )  
 Alamitos Generating Station to Cease and Desist )  
 from Discharging and/or Threatening to Discharge )  
 Wastes Contrary to Requirements Prescribed by the )  
 California Regional Water Quality Control Board, )  
 Los Angeles Region (NPDES CA0001139) )

The California Water Resources Control Board finds that:

A. On February 28, 1977, the California Regional Water Quality Control Board, Los Angeles Region, adopted Order No. 77-47, an NPDES permit prescribing waste discharge requirements for the discharge from Southern California Edison Company's Alamitos steam generating electric powerplant, hereinafter referred to as the discharger.

B. The waste discharge requirements provide, in part, as follows:

. . .

"B. Effluent Limitations:

. . .

2. Effluent Limitations for Discharge Serial Nos. 001, 002, and 003:

. . .

c. The discharge of an effluent from Discharge Serial Nos. 001, 002, and 003 in excess of the following limits after July 1, 1977, is prohibited:

Constituent	Discharge Rate (lbs/day)		Concentration Limit	Daily Maximum
	Maximum Daily	30-day Average	30-day Average	
Free Available Chlorine	*	*	0.2	0.5

\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of once through cooling water.

"Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Board that the units in a particular location cannot operate at or below this level of chlorination (such as at times when red tide conditions create excessive corrosion effects.)

...

"C. Effluent Limitations for Input Waste Streams:

...

2. The discharge of an effluent for the following waste categories in excess of the following limits after July 1, 1977, is prohibited. If the Administrator of the Environmental Protection Agency concurs regarding fundamental difference as discussed in Findings 17, 18, 19, and 20 the effluent limitations in Items C.2.a., C.2.b., and C.2.c. are not applicable.

...

b. Boiler Blowdown:

<u>Constituent</u>	<u>Discharge Rate (lbs/day)</u>		<u>Concentration Limit</u>	<u>Daily Maximum</u>
	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>30-day Average</u>	
...				
Copper	*	*	1.0	1.0
Iron	*	*	1.0	1.0

\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of the specified wastes.



b. Boiler Blowdown:

<u>Constituent</u>	<u>Discharge Rate (lbs/day)</u>		<u>Concentration Limit</u>	
	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>30-day Average</u>	<u>Daily Maximum</u>
Suspended Solids	*	*	30	100
. . .				
Copper	*	*	1.0	1.0
Iron	*	*	1.0	1.0
. . .				"

C. Self-monitoring and other reports from the discharger and testimony before this Board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B. of this Order.

D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric powerplants. The FWPCA required adherence with said standards by July 1, 1977.

E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order NO. 77-51.

F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due

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\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of the specified wastes.

notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 77-51, as shown in Finding B. above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B. above.
- B. The discharger shall comply with Regional Board Order No. 77-51. Sections A.2.c. and B.1.b. in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a. Complete construction and achieve compliance with the suspended solids limitations in Section B.1.b.	November 1, 1978	November 15, 1978
b. Complete construction and achieve full compliance	April 1, 1979	April 15, 1979
c. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.		

. . . .  
"D. Receiving Water Limitations:

. . . .  
2. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally. Compliance with this limitation shall be determined from samples collected at stations representative of the area within the waste field where initial dilution is completed."

- C. Self-monitoring and other reports from the discharger and testimony before this board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B. of this Order.
- D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants from steam-generating electric powerplants. The FWPCA required adherence with said standards by July 1, 1977.
- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 77-47.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 77-47 as shown in Finding B. above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B. above.
- B. The discharger shall comply with Regional Board Order No. 77-47. Sections B.2.c., C.2.b., and D.2. in accordance with the following time schedule:

	<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
a.	Complete construction and achieve full compliance	April 1, 1979	April 15, 1979
C.	The discharger shall, in accordance with their letter to this Board dated October 13, 1977, retain and partially treat the boiler blowdown from Units 1 and 2.		
D.	The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.		
E.	If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the		

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

Order Requiring Southern California Edison Company, )  
Redondo Generating Station to Cease and Desist )  
from Discharging and/or Threatening to Discharge )  
Wastes Contrary to Requirements Prescribed by the )  
California Regional Water Quality Control Board, )  
Los Angeles Region (NPDES CA0001201) )

The California Water Resources Control Board finds that:

- A. On February 28, 1977, the California Regional Water Quality Control Board, Los Angeles Region, adopted Order No. 77-53, an NPDES permit prescribing waste discharge requirements for the discharge from Southern California Edison Company's Redondo steam generating electric power plant, hereinafter referred to as the discharger.
- B. The waste discharge requirements provide, in part, as follows:

"A. Effluent Limitations:

. . .

2. Effluent Limitations for Discharge Serial Nos. 001 and 002:

. . .

- c. The discharge of an effluent from Discharge Serial Nos. 001 and 002 in excess of the following limits after July 1, 1977, is prohibited:

<u>Constituent</u>	<u>Discharge Rate</u> (lbs/day)		<u>Concentration</u> <u>Limit</u>	<u>Daily</u> <u>Maximum</u>
	<u>Daily</u>	<u>30-Day Average</u>	<u>(mg/l)</u> <u>30-Day Average</u>	
Free Available Chlorine	*	*	0.2	0.5

\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of once through cooling water.

"Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Board that the units in a particular location cannot operate at or below this level of chlorination (such as at times when red tide conditions create excessive corrosion effects).

. . . .

"B. Effluent Limitations for Inplant Waste Streams:

1. The discharge of an effluent for the following waste categories in excess of the following limits after July 1, 1977, is prohibited. If the Administrator of the Environmental Protection Agency concurs regarding fundamental difference as discussed in Findings 17, 18, and 19 the effluent limitations in Items B.1.a., B.1.b., and B.1.c. are not applicable.

. . . .

b. Boiler Blowdown:

<u>Constituent</u>	<u>Discharge Rate (lbs/day)</u>		<u>Concentration Limit (mg/l)</u>	<u>Daily Maximum</u>
	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>30-day Average</u>	
Suspended Solids	*	*	30	100
Copper	*	*	1.0	1.0
Iron	*	*	1.0	1.0

c. Low Volume Wastes:

<u>Constituent</u>	<u>Discharge Rate</u> (lbs/day)		<u>Concentration Limit</u> (mg/l)	
	<u>Maximum Daily</u>	<u>30-Day Average</u>	<u>30-Day Average</u>	<u>Daily Maximum</u>
Suspended Solids	*	*	30	100
.....				

\* The discharge rate limitation shall be determined using the tabulated concentration limits and flowrate of the specified wastes.

"In the event that waste streams from various sources (a, b, and c) are combined for treatment or discharge, the quantity of each pollutant or pollutant property controlled in Item B1 above attributable to each controlled waste source shall not exceed the specified limitation for that waste source.

C. Receiving Water Limitations

.....

2. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally. Compliance with this limitation shall be determined from samples collected at stations representative of the area within the waste field where initial dilution is completed."

C. Self-monitoring and other reports from the discharger, and testimony before this board indicate that the discharger is violating or threatens to violate the requirements listed in Finding B of this Order.

D. On October 8, 1974, the United States Environmental Protection Agency established, in accordance with statutory requirements of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), best practicable control technology currently available (BPCTCA) standards for the discharge of specific pollutants

from steam-generating electric power plants. The FWPCA required adherence with said standards by July 1, 1977.

- E. The BPCTCA standards and 1977 compliance deadline are contained in the discharger's waste discharge requirements, Order No. 77-53.
- F. On Monday, October 3, 1977, in Room 1131 of the Resources Building, 1416 Ninth Street, Sacramento, California, after due notice to the discharger and all other affected persons, this Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger's past attempts to comply with the BPCTCA standards required in Order No. 77-53 as shown in Finding B above, by the July 1, 1977 deadline, cannot be found to be duly diligent.
- H. This action is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with the provisions of California Water Code Section 13389.

IS IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding B above.
- B. The discharger shall comply with Regional Board Order No. 77-53. Sections A.2.c., B.1.b., B.1.c., and C.2. in accordance with the following time schedule:

<u>Task</u>	<u>Achieve Compliance</u>	<u>Report Compliance Due</u>
a. Complete construction and achieve compliance with the suspended solids limitations in Sections B.1.b. and B.1.c.	November 1, 1978	November 15, 1978



<u>Task</u>	<u>Achieve Compliance</u>	<u>Report Compliance</u>
b. Complete construction and achieve full compliance with all requirements	April 1, 1979	April 15, 1979
C. The discharger is required to provide to the Regional Board by April 15, 1978, and monthly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.		
D. If the Regional Board Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.		
I, Executive Director, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Water Resources Control Board on MAR 16 1978		

  
 Executive Director

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