

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
ORDER R5-2020-XXXX

AMENDING WASTE DISCHARGE REQUIREMENTS
ORDER R5-2014-0052-01 (NPDES PERMIT NO. CA0079511)

CITY OF SHASTA LAKE
WASTEWATER TREATMENT FACILITY
SHASTA COUNTY

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

1. On 28 March 2014, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2014-0052, prescribing waste discharge requirements for the City of Shasta Lake Wastewater Treatment Facility, Shasta County. For purposes of this Order, the City of Shasta Lake is hereafter referred to as "Discharger" and the City of Shasta Lake Wastewater Treatment Facility is hereafter referred to as "Facility."
2. WDRs Order R5-2014-0052 contained, in part, final effluent limitations for ammonia, copper, dichlorobromomethane (DCBM), nitrate + nitrite, pH, and zinc. The Discharger could not immediately comply with these final effluent limitations, therefore on 28 March 2014, the Central Valley Water Board adopted Time Schedule Order (TSO) R5-2014-0053 with a compliance schedule and interim effluent limitations for ammonia, copper, DCBM, nitrate + nitrite, pH, and zinc.
3. To come into compliance with final effluent limitations contained in WDRs Order R5-2014-0052, the Discharger decided to pursue Facility upgrades including: new screened raw sewage pump station, aeration basins replacing oxidation ditch, additional clarifier, cloth filters replacing traveling bridge filters, ultraviolet (UV) disinfection replacing chlorine disinfection, additional equalization volume and a new sludge drying bed.
4. In 2018 when upgrades to the Facility were partially complete and the UV disinfection system and cloth filters were installed and operational, Order R5-2018-0089 modified WDRs Order R5-2014-0052 to include the UV disinfection system and cloth filters as part of the treatment process description as well as UV operating specifications and monitoring. Modified WDRs Order R5-2014-0052 was assigned a new order number, WDRs Order R5-2014-0052-01.
5. As of the date of this Order, all Facility upgrades as described in Finding 3 have been completed.
6. WDRs Order R5-2014-0052-01 includes Discharge Prohibitions III.E and III.F, which state the following:

"E. Discharge of wastewater to Churn Creek, or its tributaries, from 15 April to 15 October is prohibited."

“F. Discharge of wastewater to Churn Creek, or its tributaries, from 16 October to 14 April when flow in Churn Creek provides less than 10:1 dilution is prohibited. Relaxation of this prohibition to allow discharge to Churn Creek when flow provides at least a 5:1 dilution may be allowed in extreme drought conditions if approved by the Executive Officer.”

7. Reopener provision VI.C.1.h of WDRs Order R5-2014-0052-01 allows for the permit to be reopened to remove Discharge Prohibitions III.E and III.F upon completion of Facility upgrades as described in Finding 3. Removal of Discharge Prohibitions III.E and III.F will allow an increased volume and mass of pollutants to be discharged. However, considering the high level of treatment provided by the upgraded facility, the increase will not cause a violation of water quality objectives and will not have significant impacts on aquatic life, which is the beneficial use most likely affected by the pollutants discharged (BOD, pH, TSS, copper, zinc, and ammonia). The minor increase is consistent with U.S. EPA’s memorandum on Tier 2 Antidegradation Reviews and Significance Thresholds, which advises that any individual decision to lower water quality for non-bioaccumulative chemicals that is limited to 10 percent of the available assimilative capacity represents minimal risk to the receiving water. Therefore, a complete antidegradation analysis is not required. Any change in water quality that is expected to occur will be consistent with the maximum benefit to the people of the state, will not unreasonably affect present and anticipated beneficial uses, and compliance with WDR Order R5-2014-0052-01 will result in the use of best practicable treatment or control of the discharge. The discharge is consistent with the State Anti-Degradation Policy and the objectives and goals of the antidegradation provisions of 40 C.F.R. section 131.12.
8. This Order modifies permit conditions contained in WDRs Order R5-2014-0052-01 pursuant to 40 Code of Federal Regulations section 122.62(a)(1). The completed Facility upgrades constitute both a material and substantial alteration to the Facility. These material and substantial alterations to the Facility occurred and were completed after issuance of WDRs Order R5-2014-0052-01 and therefore justifies modifying WDRs Order R5-2014-0052-01 to include different permit conditions.
9. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (“CEQA”) pursuant to Water Code section 13389, since the adoption or modification of a NPDES permit for an existing source is statutorily exempt and this Order only serves to modify a NPDES permit (*Pacific Water Conditioning Ass’n, Inc. v. City Council of City of Riverside* (1977) 73 Cal.App.3d 546, 555-556.).
10. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to amend the WDRs for this discharge and has provided them with an opportunity to submit their written views and recommendations.

IT IS HEREBY ORDERED THAT:

Effective immediately upon adoption, Waste Discharge Requirements Order R5-2014-0052-01 (NPDES No. CA0079511) is amended as follows:

1. Change the Order number throughout the permit to R5-2014-0052-02.
2. Remove Discharge Prohibitions III.E and III.F and associated language in the Fact Sheet.
3. Remove Reopener Provision VI.C1.h and associated language in the Fact Sheet.
4. Replace the first paragraph in Fact Sheet Section IV.D.4.a with the following language:
 - a. **Surface Water.** The permitted discharge is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy. This Order provides for an increase in the volume and mass of pollutants discharged. The increase will not have significant impacts on aquatic life, which is the beneficial use most likely affected by the pollutants discharged (BOD, pH, TSS, copper, zinc, and ammonia). The increase will not cause a violation of water quality objectives. Any change in water quality that is expected to occur as a result of the issuance of this order will be consistent with the maximum benefit to the people of the state and will not unreasonably affect present and anticipated beneficial uses. Furthermore, compliance with these requirements in this order will result in the use of best practicable treatment or control of the discharge.

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

I, PATRICK PULUPA, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on XX August 2020.

PATRICK PULUPA, Executive Officer