

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
Thursday, June 16, 2016
Regional Water Board Office
Santa Rosa, California

- ITEM: 10
- SUBJECT: Public Hearing to consider adoption of Order No. R1-2016-0016, requiring the City of Healdsburg to cease and desist from discharging or threatening to discharge effluent in violation of Waste Discharge Requirements Order No. R1-2016-0015 for the City of Healdsburg Wastewater Treatment, Recycling, and Disposal Facility, WDID No. 1B820460SON, NPDES No. CA0025135 (*Cathleen Goodwin*)
- BOARD ACTION: The Board will consider adoption of Cease and Desist Order (CDO) No. R1-2016-0016 (Proposed CDO) to replace CDO No. R1-2010-0035, which the Permittee is currently required to comply with. The Proposed CDO contains a time schedule for the City of Healdsburg (Permittee) to comply with the Basin Plan seasonal discharge prohibition by completing construction of its recycled water system and to comply with final effluent limitations for copper.
- BACKGROUND: Concurrent with the adoption of this Proposed CDO, the Regional Water Board will consider adoption of Waste Discharge Requirements Order No. R1-2016-0015 (Proposed Permit), which will serve as an NPDES permit for waste discharges to surface water. The EOSR for the Proposed Permit describes the Permittee's wastewater treatment Facility. The Proposed Permit includes discharge prohibitions, effluent limitations, and receiving water limitations (surface water and groundwater). Specifically, the Proposed Permit includes a discharge prohibition that limits the Permittee's discharge to Basalt Pond to October 1 through May 14, and effluent limitations for copper. The Permittee cannot immediately comply with either of these requirements.
- The Permittee has been under a CDO to comply with the seasonal discharge prohibition (Discharge Prohibition III.I in the Proposed Permit) since 2004 (CDO No. R1-2004-0065).
- ISSUES: The Proposed CDO addresses the need for the Permittee to comply with the seasonal discharge prohibition and copper effluent limitations in the Proposed Permit. These two issues are described in more detail in the following paragraphs.

Seasonal Discharge Prohibition. Disinfected tertiary effluent is currently discharged to Basalt Pond at Discharge Point 001 year-round. Basalt Pond has been determined to be a water of the United States that is hydrologically connected to the Russian River. The Basin Plan and the Proposed Permit prohibit discharges to surface waters during the period May 15 through September 30 (seasonal discharge prohibition).

In 2004, the Permittee proposed to design and construct a recycled water storage and distribution system to provide a means for the Permittee to reuse disinfected tertiary effluent and eliminate the need to discharge to Basalt Pond during the seasonal discharge prohibition period.

Progress on the recycled water system has been slow but steady. The Permittee has cited financial constraints (including the economic downturn that began in 2008 and the expense of constructing an urban recycled water system), staff turnover, and the difficulty of finding willing agricultural users as the reasons for the slow progress.

In 2008, the Permittee completed construction of its Facility upgrade project that increased the level of treatment from disinfected secondary to disinfected tertiary with biological nutrient removal, and included a 25 million gallon (MG) recycled water storage pond. During the last five years, the Permittee designed and constructed 6,000 feet of recycled water distribution pipeline and two recycled water fill stations, and implemented recycled water trucking programs for residential and commercial landscape, dust control and construction, vineyard, and aggregate processing uses. The Permittee continues to work with vineyards to increase the number of vineyard irrigation users. The Permittee originally contemplated serving urban irrigation uses at City parks and schools and the Tayman Park Golf Course, but set the urban pipeline project aside to pursue agricultural uses. The Permittee recycled approximately 6 MG of disinfected tertiary effluent in 2014 and 10 MG in 2015.

The Proposed CDO updates CDO No. R1-2010-0035 to reflect the Permittee's current plans to expand its agricultural irrigation pipeline to include additional vineyards and to extend the compliance schedule to coincide with the term of the Proposed Permit which has an expiration date of July 31, 2021. Additionally, the Proposed CDO requires the Permittee to conduct a study to assess the technical, economic, and financial feasibility of completing a recycled water system that serves urban and agricultural water users to achieve full compliance with the seasonal

discharge prohibition. The CDO requires the Permittee to prepare and submit a report summarizing the study findings by August 1, 2018.

Copper Effluent Limitations. The Permittee submitted a letter on January 27, 2016, requesting that the Proposed CDO include a time schedule for the Permittee to achieve compliance with final copper effluent limitations in the Proposed Permit. The letter documents the Permittee's efforts to comply with copper effluent limitations during the term of the previous permit, which include facility upgrades that were completed in 2008, efforts to reduce corrosion of copper in the City's drinking water distribution system, and the City's environmental inspection program which directs businesses in the City toward zero discharge and/or best management practices to minimize the potential discharge of detrimental waste (including copper) to the sewer system. In light of the fact that these efforts have not removed reasonable potential for copper, the Permittee proposed to conduct a water effect ratio (WER) study. The Proposed CDO includes interim copper effluent limitations and a schedule for compliance with final copper effluent limitations and requires the Permittee to achieve compliance with final copper effluent limitations by December 1, 2017.

Comment Letter. A comment letter (attached) was received from the Permittee. A complete Response to Comments document is attached. The Permittee's comments on the Proposed CDO expressed concern that the Permittee would not be able to achieve full compliance with the seasonal discharge prohibition by September 30, 2019, the compliance date included in the public review draft of the Proposed CDO. The Permittee requested that a new task be added to the CDO providing the Permittee with five additional years to achieve full compliance with the seasonal discharge prohibition.

In response to the Permittee's comment, Regional Water Board staff modified the Proposed CDO compliance schedule to add new Task D, a requirement to complete construction of recycled water transmission pipeline to serve additional acreage, as needed, to achieve compliance with the seasonal discharge prohibition. Regional Water Board staff provided the Permittee with two additional years (rather than the requested five additional years), to July 31, 2021, to achieve compliance with the seasonal discharge prohibition. This compliance date coincides with the end of the five year term of the Proposed Permit.

Regional Water Board staff initiated the addition of another new task (Task B) requiring the Permittee to submit, by August 1, 2018, a report on the feasibility of completing the urban recycled water

system that the Permittee identified in its 2005 Wastewater Treatment Plant Upgrade Project Environmental Impact Report and July 2010 Recycled Water System Plans and Specifications. Regional Water Board staff determined that this new task is necessary in light of the Permittee's request for additional time to achieve compliance with Discharge Prohibition III.I of the Proposed Permit and the Permittee's statements regarding the uncertainties associated with agricultural use (See Comment 2 of the Response to Comments document). The Permittee has stated that an urban recycled water system is more expensive than the agricultural system, but has not provided a thorough evaluation to demonstrate that an urban recycled water system is infeasible.

The Permittee must make all efforts to achieve compliance with the seasonal discharge prohibition July 31, 2021. If the City is unable to comply with the seasonal discharge prohibition by increasing agricultural recycled water use, the Permittee must evaluate other options to achieve compliance such as identifying other potential recycled water users, including urban users, and/or construction of additional recycled water storage. Task E of the Proposed CDO requires the Permittee to submit reports semi-annually describing its progress toward compliance with the seasonal discharge prohibition. If the Permittee is not able to achieve full compliance with the seasonal discharge prohibition by July 31, 2021, due to reasons out of its control, the Permittee's progress and the potential for extending the compliance schedule may be reevaluated.

Adoption of the Proposed CDO is uncontested by the Permittee.

RECOMMENDATION: Adopt Order No. R1-2016-0016, as proposed.

**SUPPORTING
DOCUMENTS:**

1. Proposed Order No. R1-2016-0016
2. Staff Response to Written Comments
3. City of Healdsburg Comment Letter
4. Public Notice