

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition of)
Kimberly-Clark Corporation/Simpson)
Lee Paper Company to Review Action)
by the California Regional Water)
Quality Control Board, Central)
Valley Region)

Order No. 72- 27

On August 20, 1971, Kimberly-Clark Corporation filed a petition with the State Water Resources Control Board (hereinafter State Board) regarding Order No. 72-3 of the California Regional Water Quality Control Board, Central Valley Region (hereinafter Regional Board), adopted on July 23, 1971. On December 15, 1971, the Simpson Lee Paper Company notified the State Board that they had purchased the paper mill affected by Order No. 72-3 and would pursue the appeal in the place of Kimberly-Clark Corporation. Thereafter, on September 27, 1972, the Simpson Lee Paper Company submitted a proposed compromise solution to the petition to the State Board which has been accepted as an interim program to protect water quality affected by the discharge from the Simpson Lee Paper Company mill at Anderson, California, and determine the effects of the discharge on the beneficial uses at this location. Pursuant to a stipulation entered into by the Regional Board and the Simpson Lee Paper Company, the State Board takes the following action:

IT IS HEREBY ORDERED that the petition of Kimberly-Clark Corporation/Simpson Lee Paper Company be dismissed and Regional Board Order No. 72-3 be amended as follows:

1. Discharge Specifications Nos. 15 and 17 are rescinded.
2. Discharge Specification No. 15 shall read:
 - 15a. The 30-day mean toxicity emission rate shall not exceed 24.2 tu · MGD.
 - 15b. The toxicity of the discharge shall not exceed 45.0 tu · MGD at any time.
3. Specification No. 17 shall read:

Effective 1 January 1975, the discharge shall not cause esthetically undesirable discoloration of the Sacramento River.
4. Part D. Provisions shall include:

The discharger shall conduct such monitoring and technical studies as necessary to accomplish at least the following program and shall make progress reports to the Regional Board at least quarterly.

 - a. Determine maximum concentrations of mill effluent in continuously renewed dilutions having no material adverse effects on salmonid reproduction, including fertilization, and on the development, survival, and growth of salmonid embryos and fry and on the growth of juvenile salmonids and also determine the relation of these maximum harmless concentrations to results of acute toxicity tests for juvenile salmonids, evaluated by standard bioassay methods. This study is to

include a detailed characterization of the discharger's waste used in the tests and comparison of this waste with that utilized in similar research.

- b. Determine the persistence of the toxicity of mill effluent and detect and measure possible interactions of toxicants in the mill effluent with others that may be discharged into the Sacramento River. The Regional Board Executive Officer, after consultation and advice of the Department of Fish and Game, shall designate the reach of the Sacramento River within which this investigation is to be conducted. The reach to be designated must bear a reasonable relationship to the need and benefit for the study considering the burden for this program on the discharger.
- c. Conduct investigations necessary to reveal any effects of mill effluent on the biota of the receiving stream during low flow periods, particularly on the variety and abundance of fish-food organisms. The Regional Board Executive Officer, after consultation and advice of the Department of Fish and Game, shall designate the area within which this investigation shall be conducted. The area to be designated must bear a reasonable relationship to the need and benefit for the investigation considering the burden for the program on the discharger.
- d. The discharger shall undertake and complete by March 1, 1975, a study of the technological and economic aspects, and complete the necessary preliminary design engineering,

for reducing the toxicity emission rate (TER) associated with the discharge to levels demonstrated not to have an adverse effect on aquatic biota. Such studies shall include a determination of the treatment methods necessary to meet a TER to the receiving water of a mean value not greater than 3.3 tu . MGD and shall demonstrate that no acute toxic effects to aquatic biota would occur in the receiving water as a result of the 3.3 tu . MGD emission.

- e. The discharger shall complete by January 1, 1973, a comprehensive scope of investigations to be completed under provisions a. through d. of this order. This scope of investigations will provide a detailed plan of investigative activities and will be subject to approval by the Regional Board Executive Officer after consultation and advice of the Department of Fish and Game.
- f. The subject waste discharge requirements in Order 72-3 as hereby amended shall apply to the present operator or any subsequent operators of the facility.
- g. The requirements of Order No. 72-3 as amended herein may be reviewed and revised should the discharge cause any unreasonable effects on the beneficial uses of the Sacramento River prior to the expiration of the proposed study.

Adopted as the order of the State Water Resources
Control Board at a meeting duly called and held in Los Angeles,
California.

Dated: December 7, 1972

W. W. ADAMS
W. W. Adams, Chairman

RONALD B. ROBIE
Ronald B. Robie, Vice Chairman

E. F. DIBBLE
E. F. Dibble, Member

ROY E. DODSON
Roy E. Dodson, Member

MRS. CARL H. AUER
Mrs. Carl H. (Jean) Auer, Member

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Lee Paper Company to Review Action by)
the California Regional Water Quality)
Control Board, Central Valley Region)

STIPULATION

Subject to the approval of the State Water Resources Control Board, the undersigned parties hereby stipulate that the petition filed on behalf of Kimberly-Clark Corporation/Simpson Lee Paper Company regarding the California Regional Water Quality Control Board, Central Valley Region, Order No. 72-3 be dismissed and the following amendments to Order No. 72-3 be adopted by the State Board as provided in Water Code Section 13320(c):

1. Discharge Specifications Nos. 15 and 17 are rescinded.
2. Discharge Specification No. 15 shall read:
 - 15a. The 30-day mean toxicity emission rate shall not exceed 24.2 tu • MGD.
 - 15b. The toxicity of the discharge shall not exceed 45.0 tu • MGD at any time.
3. Specification No. 17 shall read:

Effective 1 January 1975, the discharge shall not cause esthetically undesirable discoloration of the Sacramento River.
4. Part D. Provisions shall include:

The discharger shall conduct such monitoring and technical studies as necessary to accomplish at least the following program and shall make progress reports to the Regional Board at least quarterly.

 - a. Determine maximum concentrations of mill effluent in continuously renewed dilutions having no material adverse effects on salmonid reproduction, including fertilization, and on the

development, survival, and growth of salmonid embryos and fry and on the growth of juvenile salmonids and also determine the relation of these maximum harmless concentrations to results of acute toxicity tests for juvenile salmonids, evaluated by standard bioassay methods. This study is to include a detailed characterization of the discharger's waste used in the tests and comparison of this waste with that utilized in similar research.

- b. Determine the persistence of the toxicity of mill effluent and detect and measure possible interactions of toxicants in the mill effluent with others that may be discharged into the Sacramento River. The Regional Board Executive Officer, after consultation and advice of the Department of Fish and Game, shall designate the reach of the Sacramento River within which this investigation is to be conducted. The reach to be designated must bear a reasonable relationship to the need and benefit for the study considering the burden for this program on the discharger.
- c. Conduct investigations necessary to reveal any effects of mill effluent on the biota of the receiving stream during low flow periods, particularly on the variety and abundance of fish-food organisms. The Regional Board Executive Officer, after consultation and advice of the Department of Fish and Game, shall designate the area within which this investigation shall be conducted. The area to be designated must bear a reasonable relationship to the need and benefit for the investigation considering the burden for the program on the discharger.
- d. The discharger shall undertake and complete by March 1, 1975, a study of the technological and economic aspects, and complete the necessary preliminary design engineering, for reducing the toxicity emission rate (TER) associated with the discharge to levels demonstrated not to have

an adverse effect on aquatic biota. Such studies shall include a determination of the treatment methods necessary to meet a TER to the receiving water of a mean value not greater than 3.3 tu . MGD and shall demonstrate that no acute toxic effects to aquatic biota would occur in the receiving water as a result of the 3.3 tu . MGD emission.

- e. The discharger shall complete by January 1, 1973, a comprehensive scope of investigations to be completed under provisions a. through d. of this order. This scope of investigations will provide a detailed plan of investigative activities and will be subject to approval by the Regional Board Executive Officer after consultation and advice of the Department of Fish and Game.
- f. The subject waste discharge requirements in Order 72-3 as hereby amended shall apply to the present operator or any subsequent operators of the facility.
- g. The requirements of Order No. 72-3 as amended herein may be reviewed and revised should the discharge cause any unreasonable effects on the beneficial uses of the Sacramento River prior to the expiration of the proposed study.

This stipulation is made under the provisions of Chapter 3, Subchapter 6, Section 2065, California Administrative Code, Title 23. Waters.

This stipulation shall be entered into the record at a regularly called meeting of the State Water Resources Control Board.

Dated: 28 November 1972

James A. Robertson
Executive Officer
California Regional Water
Quality Control Board
Central Valley Region

Dated: 22 November 1972

Turner P. Mizeley
Simpson Lee Paper Company
President