

**STATE WATER RESOURCES CONTROL BOARD
BOARD WORKSHOP SESSION – OFFICE OF CHIEF COUNSEL
JULY 18, 2012**

ITEM 14

SUBJECT

IN THE MATTER OF PETITIONS OF SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT AND CALIFORNIA SPORTFISHING PROTECTION ALLIANCE (WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2010-0114 [NPDES NO. CA0077682] FOR THE SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT, SACRAMENTO REGIONAL WASTEWATER TREATMENT PLANT, SACRAMENTO COUNTY), CENTRAL VALLEY WATER BOARD - SWRCB/OCC FILES A-2144(a) and A-2144(b)

DISCUSSION

The Sacramento Regional County Sanitation District (District) owns and operates the Sacramento Regional Wastewater Treatment Plant (Facility). The Facility was constructed in 1982 and provides “secondary” level treatment. The District provides sewerage service to the Cities of Sacramento, Folsom, West Sacramento, and the Sacramento Area Sewer District service area. The Sacramento Area Sewer District includes the Cities of Elk Grove, Rancho Cordova, Citrus Heights, Courtland, and Walnut Grove, as well as portions of the unincorporated areas of Sacramento County. The population served is approximately 1.3 million people. The Facility is a regional wastewater plant and has an average dry weather flow design capacity of 181 million gallons per day (mgd).

On December 9, 2010, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) issued Waste Discharge Requirements Order No. R5-2010-0114 [NPDES No. CA0077682] (Permit) to the District for its discharges from the Facility. The Permit is a renewal of the District’s prior permit issued in 2000 and had been administratively continued since 2005. The Permit contains several new or more stringent effluent limitations and requirements. These more stringent effluent limitations will require substantial changes to the character of the District’s discharge and upgrades to the Facility in order to meet the Permit’s requirements. The Permit grants the District up to ten years before some of the final effluent limitations take effect.

In response to the Permit’s adoption, the District and the California Sportfishing Protection Alliance (CSPA) both filed timely petitions for review with the State Water Board. After deeming the petitions complete, consolidating them for review, receiving the response and administrative record from the Central Valley Water Board, and responses from interested persons, we adopted [Order WQ 2011-0013](#) on September 19, 2011, taking this matter up on our own motion. We granted own motion review in order to have sufficient time to adequately review the voluminous submissions and allow a detailed legal and technical review of the submissions. Subsequently, the District filed a petition for writ of mandate with the Sacramento Superior Court.¹

¹ *Sacramento Regional County Sanitation Dist. v. Cal. Regional Water Quality Control Bd., Central Valley Region* (Super. Ct. Sac. County, Case No. 34-2011-80001028). The effective date of the final effluent limitations that are the subject of the petition for writ of mandate are extended for a period equal to the duration of the court-imposed, stipulated stay.

The [proposed draft order](#) upholds most of the Permit and remands other portions of the Permit to the Central Valley Water Board for reconsideration and revision. The draft order concurs with the Central Valley Water Board's total coliform effluent limitation and the need to address the District's ammonia discharge. However, the proposed order remands the final effluent limitations for ammonia noting a calculation error. Additionally, the proposed order remands the Permit for reconsideration of the Central Valley Water Board's approach to control of the discharge of nutrients from the Facility and of the Central Valley Water Board's denial of a mixing zone for nitrates.

POLICY ISSUE

This is a workshop item only and there will be no action on this item.

REGIONAL BOARD IMPACT

Central Valley Water Board

STAFF RECOMMENDATION

This is a workshop item only. The purpose of the workshop is to solicit comments and suggestions from stakeholders and the public regarding the proposed order. The State Water Board will not take any action on the proposed order at this meeting.

State Water Board action on this item will assist the Water Boards in reaching Goal 6 of the Strategic Plan Update: 2008-2012 to enhance consistency across the Water Boards, to ensure our processes are effective, efficient, and predictable, and to promote fair and equitable application of laws, regulations, policies, and procedures.