

**20 JUNE 2025 BOARD MEETING
CONTESTED AGENDA ITEM**

AGENDA ITEM: 14

SUBJECT:

The following is a proposed permit and time schedule order for consideration of adoption.

BOARD ACTION:

Consideration of National Pollutant Discharge Elimination System (NPDES) Permit Renewal (NPDES Permit CA0081957) and Time Schedule Order

BACKGROUND:

Shasta-Sustainable Resource Management, Inc. (Discharger) is the owner and operator of the Shasta-Sustainable Resource Management, Inc. biomass electrical generation facility (Facility), located at 20811 Industry Road, Anderson, California. The Facility discharges wastewater to the Anderson Cottonwood Irrigation District Canal, a water of the United States, tributary to the Sacramento River via Crowley Creek, Schneider Gulch, Hooker Creek, Patterson Creek, and Cottonwood Creek. Discharges from the Facility are currently regulated by Waste Discharge Requirements Order R5-2019-0070, adopted by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 11 October 2019. An Order is proposed to renew the NPDES permit.

The proposed Order incorporates a Facility name change to “Shasta-Sustainable Resource Management, Inc.” to reflect new ownership under the same legal entity. In accordance with updated effluent monitoring data and applicable water quality standards, the proposed Order establishes new final effluent limitations for alpha-BHC, manganese, and molybdenum. To facilitate compliance with these limitations, the proposed Order and an associated Time Schedule Order (TSO) includes compliance schedules with interim milestones specific to alpha-BHC and manganese. In addition, the proposed Order revises requirements for onsite septic system and leachfield monitoring and updates stormwater management provisions. These updates include the removal of the Fuel Pile Stormwater Pond berm, a corrective action anticipated to reduce concentrations of alpha-BHC, manganese, and molybdenum in the Facility’s effluent. The proposed Order also requires the development and implementation of a groundwater monitoring network assessment to ensure protection of groundwater.

ISSUES:

The tentative NPDES Permit and Time Schedule Order were issued for a 30-day public comment period on 2 April 2025 with comments due by 2 May 2025. Comments were received from the Discharger. A Response to Comments document is included in the agenda package that summarizes the written comments followed by responses by Central Valley Water Board staff. The Discharger agrees with these revisions to the Orders.

On 4 March 2025, the U.S. Supreme Court issued a decision in the case of the *City and County of San Francisco vs. U.S. Environmental Protection Agency (2025)* 145 U.S. 704, which challenged some of the limitations in NPDES permits. The Supreme Court ruled that “end result” limitations (i.e. receiving water limitations) are not allowed by the Federal Clean Water Act and that NPDES permits must have specific requirements to meet water quality objectives and protect beneficial uses. Based on this ruling, a second 30-day public comment period was initiated on 6 May 2025 focused solely on proposed changes to six NPDES tentative permits (including the one for Shasta-Sustainable Resource Management, Inc.) in response to the U.S. Supreme Court’s decision. The second public comment period concludes on 5 June 2025 and a separate Response to Comments document addressing any comments received on the proposed changes will be available to the public prior to the 20 June Board Meeting.

RECOMMENDATION:

Adopt the proposed NPDES Permit and Time Schedule Order

REVIEWS:

Management Review:	AWL (email 5/22/25)
Legal Review:	CM 5/25/25

BOARD MEETING LOCATION:

State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

AND VIA VIDEO AND TELECONFERENCE