

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Sam Plummer)
MEETING DATE: February 12, 2020

ITEM: 6.C

SUBJECT: **East Bay Municipal Utility District; Point Isabel, San Antonio Creek, and Oakport Wet Weather Facilities; Richmond and Oakland; Contra Costa and Alameda Counties – Reissuance of NPDES Permit**

CHRONOLOGY: September 2014 – Consent Decree entered by Court
November 2014 – Permit Reissued

DISCUSSION: This Revised Tentative Order (Appendix A) would reissue the NPDES permit for the East Bay Municipal Utility District (EBMUD) Wet Weather Facilities (WWFs). There are three WWFs: Point Isabel, San Antonio Creek, and Oakport. Each provides primary treatment through physical removal of solids and chemical disinfection prior to discharge. The WWFs were built to capture and treat excess untreated wastewater during peak wet-weather flows. During dry weather and non-peak flows, EBMUD fully treats wastewater to secondary treatment standards at its main wastewater treatment plant. Discharges from the main plant are subject to a separate permit. The WWFs discharge, on average, less than ten times per year.

The Revised Tentative Order continues to prohibit discharges from the WWFs consistent with a 2007 State Water Board Order that the WWFs must either meet secondary treatment standards or cease discharge. In 2009, the Regional Water Board, State Water Board, and U.S. EPA sued EBMUD and the seven East Bay satellite collection systems (Satellites) that transport wastewater to EBMUD's interceptor system for discharges from the WWFs, ultimately culminating in a Consent Decree entered by the U.S. District Court on September 22, 2014. The Consent Decree requires the reduction and eventual cessation of all WWF discharges, beginning with the San Antonio WWF in 2027 and ending with the Oakport WWF in 2035, with mid-course check-ins in 2022 and 2030.

To cease discharge from all three WWFs, the Consent Decree requires, among other things, that EBMUD complete the following work:

- Implement a regional private sewer lateral program,
- Develop a regional technical support program that identifies sources of high inflow and infiltration into the Satellites' collection systems,
- Conduct monitoring and modeling to demonstrate reduction and ultimate elimination of WWF discharges, and
- Treat 0.5 million gallons per day of dry weather urban runoff from Alameda County's Ettie Street pump station located adjacent to EBMUD's main wastewater treatment plant.

Items 6.D through 6.J on this same agenda are the permit reissuances for each of the seven Satellites that discharge wastewater to EBMUD's interceptor system. Inflow and infiltration within the Satellites' collection systems contribute to high wastewater flows during wet weather, which in turn results in excess wastewater discharged from the WWFs. The tentative orders in items 6.D through 6.J would reissue the NPDES permits for each of the Satellites, prohibiting them from causing or contributing to discharges from the WWFs.

We received minor editorial comments from EBMUD on a draft order distributed for review (Appendix B). We prepared responses to those comments and modified the draft order as described in the Response to Comments (Appendix C). As of this writing, we expect this item to be uncontested.

RECOMMEN-
DATION: Adoption of the Revised Tentative Order.

FILE: CW-222130

APPENDICES: A. Revised Tentative Order
B. Comments
C. Response to Comments

Appendix A
Revised Tentative Order

Appendix B

Comments

For an electronic copy of the comments, please see the contact information provided in Fact Sheet section VIII.G of the tentative order.

Appendix C
Response to Comments