

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition of)
Susanville Consolidated Sanitary)
District for Review of Water Quality) Order No. WQG 73-21
Staff Determinations, Grants Section)
_____)

BY BOARD MEMBER DODSON:

By letter dated June 6, 1973, Susanville Consolidated Sanitary District (Petitioner) requested the State Water Resources Control Board (State Board) to review a determination of the staff of the Division of Water Quality, Grants Section (Staff). The determination involved a decision by Staff that certain treatment works proposed by Petitioner did not meet the criteria for a Class A Interceptor.

A hearing was held on the petition on July 10, 1973.

SUMMARY OF FACTS

The service area of Petitioner includes an area containing 22 dwellings whose domestic wastes are disposed of through individual septic systems. This area is bounded on the north by State Highway 139, on the east by Hall Street, on the south by Paul Bunyon Logging Road, and on the west by Ash Street. To the west of Ash Street is a natural drainage depression, which is connected by a natural drainage ditch to Barry Reservoir. There is a history of some failure of individual septic systems in the area, and it appears that overflow from failing systems may reach the natural drainage ways, or roadside ditches, and may

thereafter flow toward or into Barry Reservoir. There was, however, no evidence that water quality of the Reservoir, or any other waters of the State, had been or would be impaired as a result of the conditions which exist in the area.

Petitioner proposed to construct a collection system for the area involved and to transport the collected wastes from the area across adjacent undeveloped property to an interceptor from Lassen Junior College. This interceptor presently transports waste from Lassen Junior College to the treatment facilities of Petitioner.

CONTENTIONS OF PETITIONER

Petitioner contended that the transportation conduit proposed for construction between Ash Street and the Lassen Junior College interceptor fulfilled the criteria of a Class A Interceptor as defined by California Administrative Code, Title 23, Subchapter 7, Section 2102(h), and should be so classified for grant purposes.

Specifically, Petitioner contended:

1. That the portion of the transportation conduit between Ash Street and the Lassen Junior College interceptor would be a closed conduit whose primary purpose would be to transport rather than collect waste and that it would perform one or more of the following primary functions:

(a) Serve in place of a potential treatment plant and transport collected wastes to an adjoining interceptor and thence to treatment. (This contention was apparently based upon the fact that there is an existing treatment plant at Lassen Junior College which is not presently utilized because of consolidation of the Lassen Junior

College system with the system of Petitioner.)

(b) Transport waste from one municipal collection system to another municipality or to a regional plant for treatment.

(c) Intercept an existing major discharge, raw or inadequately treated wastewater for transport directly to an interceptor.

2. That the portion of the transportation conduit involved was a Class A Interceptor in that:

(a) It was a basic component of a wastewater treatment project which would result in improvement of water quality; or

(b) Eliminate or reduce an existing major discharge.

FINDINGS AND CONCLUSIONS

Having considered the contentions of the Petitioner, and the evidence, we find and conclude as follows:

1. Findings on Contention that Proposed Conduit is an Interceptor. We find and conclude that the proposed conduit is not an interceptor for the following reasons:

(a) The conduit will not serve in place of a potential treatment plant as required by Section 2102(h)(2) of Title 23. Section 2102(h)(2) was intended to apply to situations where the area to be served, the number of persons to be served, and the water quality problems, were of sufficient size, number or magnitude that erection of a treatment plant for the area would be a reasonable

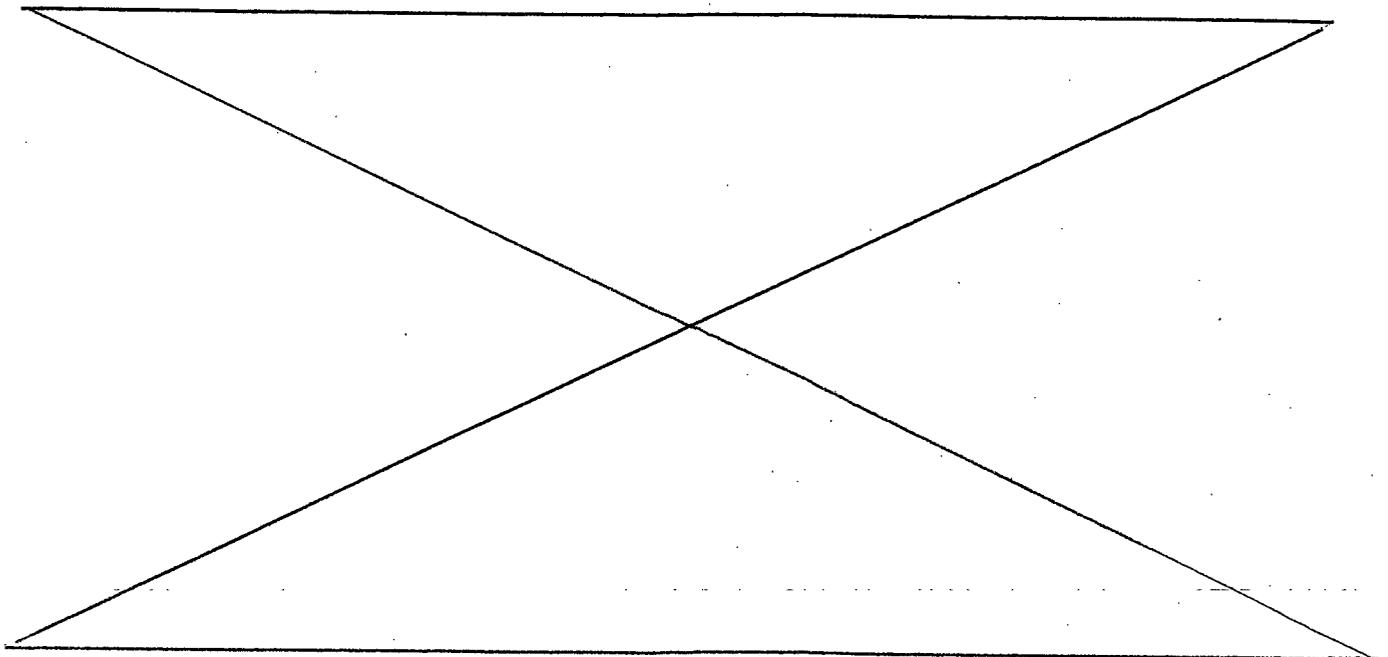
and viable solution to the problems involved. Under these circumstances, where the same solution could be achieved by construction of a conduit to transport the waste to an already existing and operating treatment plant, or to a treatment plant which was to be constructed in any event, the conduit would not only serve to solve water quality problems but would also serve to eliminate duplication of treatment plants. Under these circumstances, the conduit would be properly classified as a Class A Interceptor. The conduit proposed by Petitioner obviously does not fall within the intent of Section 2102(h)(2), inasmuch as it cannot be realistically concluded from the area involved, the number of people involved, or the water quality problems involved, that there is any real potential that a separate treatment plant would be constructed for this area.

(b) The conduit will not transport the waste from a municipal collection system to another municipality or to a regional plant for treatment as required by Section 2102(h)(3). The proposed conduit will in fact only serve to carry waste from one part of Petitioner's service area to Petitioner's own treatment plant. We do not believe that this process can, in any way, be construed to be transportation from one municipality to another. Nor, in our opinion, can the treatment plant of Petitioner be characterized as a regional plant, at least insofar as treatment of the wastes from the particular area involved is

concerned, since the treatment plant and area to be served are part and parcel of the same municipality. Section 2102(h)(3) was intended generally to apply to those situations where the wastes from one municipality were to be transported to another municipality or to a treatment plant which had been designated as a regional treatment plant for the particular municipality transporting the waste. Petitioner's proposed conduit does not fall within this criteria.

(c) The conduit will not serve to intercept an existing major discharge of raw or inadequately treated wastewater as required by Section 2102(h)(4). The word "intercept" means "to seize or stop on the way, to prevent from reaching the destination." [Funk and Wagnalls Standard College Dictionary (1968)]. Section 2102(h)(4), when enacted, was intended to apply to stopping and transporting an already existing major discharge. Petitioner's overall project is for the primary purpose of stopping, collecting and transporting effluent from a number of individual septic systems, none of which can properly be classified as a major discharge. Specifically, the wording of Section 2102(h)(4) was chosen for the express purpose of precluding transportation portions of a project whose primary purpose was to eliminate individual septic system discharges from qualifying as an interceptor.

We do not imply by this decision that the proposed project is not a worthwhile one or that it is not an appropriate answer to the problems of the area involved. It may well be that the proposed project is worthwhile, necessary, and appropriate. Our problem is one of funding priorities, occasioned by inadequacy of grant funds, particularly federal grant funds, necessary to provide for construction of needed treatment works. Because of limited funds, our grant regulations must be drawn so that the limited funds available are utilized on the most essential projects. There are a substantial number of appropriate and, to a degree, necessary projects which may not be funded or fundable, or on which construction must be deferred, because of limited funds. In some cases, municipalities may be required to supply solutions to their problems without the aid of federal or state grant funds.



IT IS HEREBY ORDERED that the petition of Susanville Consolidated Sanitary District be, and it is denied.

Dated: SEP 6 1973

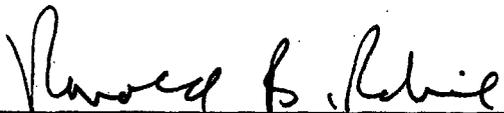
We Concur:



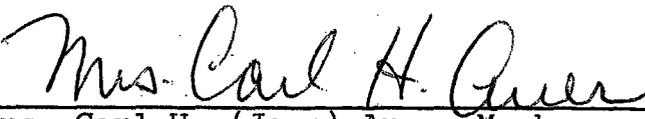
Roy E. Dodson, Member



W. W. Adams, Chairman



Ronald B. Robie, Vice Chairman



Mrs. Carl H. (Jean) Auer, Member



W. Don Maughan, Member