



California Regional Water Quality Control Board

Lahontan Region



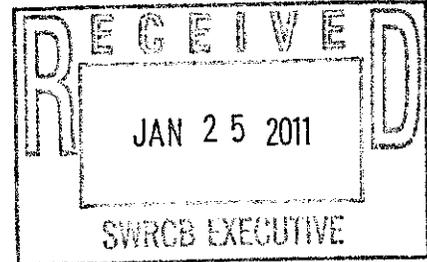
Linda S. Adams
Acting Secretary for
Environmental Protection

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
(530) 542-5400 • Fax (530) 544-2271
www.waterboards.ca.gov/lahontan

Edmund G. Brown Jr.
Governor

MEMORANDUM

TO: Jeanine Townsend, Clerk of the Board
State Water Resources Control Board



FROM:  Lauri Kemper
Assistant Executive Officer
LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD

DATE: January 25, 2011

(Sent by electronic mail only)

SUBJECT: FEBRUARY 1, 2011 BOARD MEETING, ITEM NO. 5 - CONSIDERATION OF A PROPOSED RESOLUTION ADOPTING A CLEAN WATER STATE REVOLVING FUND (CWSRF) PROGRAM PRELIMINARY FUNDING COMMITMENT FOR THE SUSANVILLE SANITARY DISTRICT, FILTRATION AND ULTRAVIOLET DISINFECTION PROJECT, CWSRF PROJECT NO. C-06-5727-110

Thank you for providing an opportunity to comment upon the above-referenced agenda item, currently scheduled for the State Water Board's February 1, 2011 Board Meeting. The Lahontan Water Board supports State Water Board staff's recommendation to adopt the draft resolution that is a part of Agenda Item No. 5. Adopting the draft resolution will move the Susanville Sanitary District (District) one step closer to implementing its Filtration and Ultraviolet Disinfection Project (Project).

Implementing the Project is critical to addressing ongoing effluent limitation violations for total suspended solids, total coliform, and pH. The District, which serves a disadvantaged community as defined by the State Water Board, is currently subject to mandatory minimum penalties of \$3,000 per effluent limitation violation. On January 5, 2011, the Lahontan Water Board's Prosecution Team issued an Administrative Civil Liability Complaint for Mandatory Minimum Penalties in the amount of \$453,000. Additional mandatory minimum penalties will continue to accrue until the District is able to implement the Project and return to compliance with effluent limitations specified by Water Board Order No. R6T-2008-0022 (NPDES Permit No. CA0102695). It is therefore critical to implement the Project as soon as possible to protect water quality and to stop the ongoing accrual of mandatory minimum penalties for the District and the

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disadvantage community it serves. Approving the CWSRF Preliminary Funding Commitment identified in the draft resolution is the next critical step in the District's efforts to implement the Project.

Another critical step that will facilitate the funding and implementation of the Project is waiving the water conservation requirement specified by the *Policy for Implementing the Clean Water State Revolving Fund for Construction of Wastewater Treatment Facilities* (Policy). The District does not have the ability to meet this requirement as it is not the local water purveyor. The City of Susanville is the local water purveyor and is currently working towards developing and finalizing an Urban Water Management Plan (UWMP), but will not do so until the California Department of Water Resources publishes its 2010 guidance document for preparing UWMPs. Waiting for the City to complete its UWMP will further delay (1) returning the District to compliance with Water Board Order No. R6T-2008-0022; (2) cessation of additional mandatory minimum penalties against the District and the disadvantaged community it serves; and (3) the production of disinfected, tertiary-treated wastewater (recycled water) that can be reused in the future.

For these reasons, the Lahontan Water Board supports the State Water Board staff's recommendation to adopt the draft resolution that is a part of the State Water Board's February 1, 2011 Agenda Item No. 5. Please contact me at (530) 542-5436 if you have any questions regarding these comments.

Cc: Randy O'Hearn/Susanville Sanitary District (email only)
Steven McMasters/State Water Board, Division of Financial Assurance (email only)
Mayumi Okamoto/State Water Board, Office of Enforcement (email only)
Ann Carroll/State Water Board, Office of Enforcement (email only)
Taylor Zentner/Lahontan Water Board (email only)