

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

**ORDER NO. R5-2013-XXXX
AMENDING CEASE AND DESIST ORDER R5-2010-0033-XX**

**QUINCY COMMUNITY SERVICES DISTRICT
QUINCY WASTEWATER TREATMENT PLANT
PLUMAS COUNTY**

The California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board), finds that:

1. On 15 October 2004, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order No. R5-2004-0152 prescribing waste discharge requirements for Quincy Community Services District (hereafter Discharger), Quincy Wastewater Treatment Plant (hereafter Facility).
2. WDRs Order No. R5-2004-0152 included final and interim limits, in part, for copper and lead as contained in Effluent Limitations Sections B.1. and B.2.
3. On 18 March 2010, the Central Valley Water Board adopted WDRs Order No. R5-2010-0032 rescinding WDRs Order No. R5-2004-0152 and prescribing revised WDRs for the Facility which includes final effluent limitations, in part, for copper and lead. In addition, on 18 March 2010, the Central Valley Water Board adopted Cease and Desist Order (CDO) No. R5-2010-0033, which includes a time schedule and an interim effluent limitation for copper.
4. A new outfall location was installed at the Facility in May 2011 which allows direct discharge of effluent to Spanish Creek from the emergency pond/wetlands. Effluent monitoring data from this new outfall location shows that the Discharger is not able to consistently comply with the final effluent limitations for lead contained in WDRs Order No. R5-2010-0032 and with interim effluent limitations for copper contained in CDO No. R5-2010-0033.
5. On 8 June 2013, the Discharger submitted justification for a compliance schedule for lead and requested that CDO No. R5-2010-0033 be reopened and amended to include interim effluent limits for lead. On 27 November 2012, the Discharger submitted additional justification and a proposed compliance schedule for interim lead effluent limitations. The justification included a description of the expense and efforts the Discharger has undertaken to obtain dilution credits in the next permit cycle; these have included: installation of a new outfall with effluent flow monitoring controls and a diffuser, submittal of an antidegradation analysis, installation of a gaging station in Spanish Creek to control the discharge and in-stream dilution, completion of a biological assessment in the proposed mixing zone area, and submittal of a mixing zone and dilution study. The justification also included a description of efforts by the Discharger to: identify high level residential and commercial inputs, source water sampling, and public outreach. The letter also included a proposed time schedule that is as short as practicable; it matches the time schedule in CDO No. R5-2010-0033 for copper.

6. In March 2013, the Discharger exceeded the interim effluent limit for copper contained in the CDO. The proposed Order (Attachment 1) contains revised interim effluent limitations for copper based on data from the new outfall location into Spanish Creek.
7. Immediate compliance with the final effluent limitations for copper and lead is not possible or practicable. The Clean Water Act and the California Water Code authorize time schedules for achieving compliance. This Order amends CDO No. R5-2010-0033 to include interim limitations and time schedules for these final effluent limitations.
8. Since the time schedule for completion of actions necessary to bring the waste discharge into compliance exceeds one year, this Order includes interim requirements and dates for achievement. The time schedule does not exceed five years. The compliance time schedule in the proposed Order (Attachment 1) that amends CDO No. R5-2010-0033 includes interim effluent limitations for copper and lead.
9. Issuance of this Order is an enforcement action of a regulatory agency, and therefore, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, *et seq.*), in accordance with California Code of Regulations, title 14, section 15321 (a)(2).
10. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to amend the CDO for this discharge and has provided them with an opportunity to submit their written views and recommendations.

IT IS HEREBY ORDERED THAT:

Cease and Desist Order No. R5-2010-0033 is amended as shown in underline/strikeout format in Attachment 1 to this Order.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region on **X Date** 2013.

PAMELA C. CREEDON, Executive Officer