

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

CEASE AND DESIST ORDER NO. 84-47

**ORDER REQUIRING SEELEY COUNTY WATER DISTRICT
TO CEASE AND DESIST FROM DISCHARGING WASTES
CONTRARY TO REQUIREMENTS PRESCRIBED BY THE
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
COLORADO RIVER BASIN REGION**

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. On January 18, 1984, this Regional Board adopted Order No. 84-12 (NPDES No. CA0104507) prescribing waste discharge requirements for the discharge of wastewater by Seeley County Water District (hereinafter also referred to as the discharger) into New River in the NW $\frac{1}{4}$ of Section 11, T16S, R21E, SBB&M. Said Order is an update of Order No. 79-24 adopted on March 14, 1979.

2. The discharge requirements provide, in part, as follows:

A. Effluent Limitations

1. Representative samples of wastewater discharged to New River shall not contain constituents in excess of the following limits:

Constituent	Unit	30-Day Arithmetic Discharge Mean Rate
20°C BOD ₅	lbs/day	31
	mg/l	30
Suspended Solids	lbs/day	99
	mg/l	95

2. The arithmetic mean of the values for effluent samples collected for 20°C BOD₅ in any 30-day period shall not be greater than 15 percent of the arithmetic mean of the values for influent samples collected during the same 30-day period (85 percent removal).

3. Inspection by the Board staff has indicated that the discharger is not complying with Effluent Limitations A.1. for 20°C BOD₅ and Suspended Solids, and A.2., as listed in Finding No. 2, above.

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4. Influent and effluent analyses conducted by the Board staff indicate that the discharger is not complying with Effluent Limitations A.1. for 20°C BOD₅ and Suspended Solids, as listed in Finding No. 2, above.
5. On September 11, 1975, the Regional Board adopted Cease and Desist Order No. 75-5 against Seeley County Water District for violations of effluent limitations as prescribed in Order No. 74-24 (NPDES No. CA0104507).
6. On March 14, 1979, the Regional Board adopted Cease and Desist Order No. 79-37 against the discharger, rescinding Cease and Desist Order No. 75-5 and extending the compliance time schedule by which the District was to achieve compliance.
7. On April 6, 1983, the Executive Officer of the Regional Board found that the District had violated the compliance time schedule contained in Cease and Desist Order No. 79-37, and issued Cleanup and Abatement Order No. 83-50, imposing a new compliance time schedule.
8. Seeley County Water District has experienced several delays in the Clean Water Grant project which are not solely the responsibility of the District. The District is preparing to award bids for construction of facilities which would alleviate the violation.
9. By letter dated February 15, 1984, the Regional Board notified Seeley County Water District of the violations of requirements and explained that the Board is scheduling a public hearing on March 21, 1984 for consideration of issuance of a Cease and Desist Order against the District.
10. On March 21, 1984, the Regional Board conducted a public hearing in the City of Coachella, after due notice to the discharger and all other affected persons, and evidence was received concerning the discharge.
11. Upon the basis of the evidence received, the Regional Board determined that the discharger is violating and is threatening to violate the requirements listed in Finding No. 2, above.
12. This enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et. seq.) in accordance with Section 15121, Chapter 3, Title 14, California Administration Code.

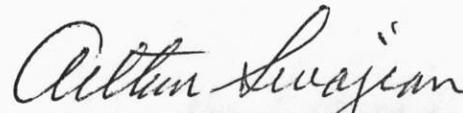
IT IS HEREBY ORDERED THAT:

1. Seeley County Water District cease and desist discharging and threatening to discharge wastes contrary to the requirements listed in Finding No. 2, above, in accordance with the time schedule listed below.
2. Compliance with the Board's discharge requirements be completed according to the following time schedule:

<u>Task</u>	<u>Completion Date</u>	<u>Report Completion Date</u>
Begin Construction	5-01-84	5-15-84
Progress Report	7-01-84	—
Complete Construction	8-15-84	9-01-84
Achieve Full Compliance	9-15-84	10-01-84

3. Seeley County Water District is required to provide periodic reports to this Board under penalty of perjury, explaining the District's progress towards compliance with the specific tasks of the compliance time schedule contained in Section 2, above.
4. If, in the opinion of the Executive Officer, Seeley County Water District fails to comply with the provisions of this Order, the Executive Officer is directed to request the Attorney General to take appropriate action against the District, including injunction and civil monetary remedies, if appropriate.
5. Cease and Desist Order No. 79-37 is hereby rescinded.
6. This Order shall take effect on April 1, 1984.

I, Arthur Swajian, 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, Colorado River Basin Region, on March 21, 1984.



 Executive Officer