

California Regional Water Quality Control Board
North Coast Region

ORDER NO. R1-2008-0109

REQUIRING THE GRATON COMMUNITY SERVICES DISTRICT
WASTEWATER TREATMENT FACILITY
TO CEASE AND DESIST FROM DISCHARGING OR THREATENING TO
DISCHARGE EFFLUENT IN VIOLATION OF WASTE DISCHARGE REQUIREMENTS
REGIONAL BOARD ORDER NO. R1-2004-0038
WDID No. 1B840600SON

Sonoma County

The Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. The Graton Community Services District (hereinafter Discharger) owns and operates a publicly owned treatment works (POTW) located in Graton, California adjacent to Atascadero Creek, a tributary of Green Valley Creek which is a tributary to the Russian River. The POTW is regulated by Waste Discharge Requirements, Regional Water Board Order No. R1-2004-0038, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0023639, WDID No. 1B840600SON, adopted by the Regional Water Board on October 6, 2004 (hereinafter referred to as the "Permit"). The Permit includes discharge prohibitions, effluent and receiving water limitations, and compliance provisions.
2. The POTW consists of a collection system, two aerated ponds, a settling pond, chlorine contact basin, and dechlorination system, providing secondary treatment prior to discharge to two effluent storage ponds from which the Discharger may discharge to Atascadero Creek during the discharge season (October 1 through May 14) and to irrigation sites any time during the year that conditions are appropriate for irrigation. The current wastewater treatment facilities are designed for an average daily dry weather flow of up to 0.14 million gallons per day (mgd) and an average daily wet weather flow of up to 0.85 mgd.
3. Section 13301 of the California Water Code (CWC) states "When a regional board finds that a discharge of waste is taking place, or threatening to take place, in violation of requirements or discharge prohibitions prescribed by the regional board or the state board, the board may issue an order to cease and desist and direct that those persons not complying with the requirements or discharge prohibitions (a) comply forthwith, (b) comply in accordance with a time schedule set by the board, or (c) in the event of a threatened violation, take appropriate remedial or preventative action."
4. Pursuant to provisions of the Water Quality Control Plan for the North Coast Basin (Basin Plan), which requires that discharges of municipal waste to the Russian River and its tributaries during the period of October 1 through May 14 be of advanced treated wastewater, the Permit prohibits after October 6, 2007, the discharge of effluent that has not been treated to the requirements of disinfected

tertiary recycled water ¹ and filtered wastewater specified in Title 22, Sections 60301.230 and 60301.320(b) as further defined in Finding 6 and Effluent Limitation B.2 and B.3 of the Permit. (See **DISCHARGE PROHIBITION 10**, at page 15 of the Permit.)

5. Since October 6, 2007, wastewater discharged from the Discharger's POTW to Atascadero Creek during the discharge season has been disinfected secondary treated wastewater. Due to the absence of filtration, the Discharger's effluent does not meet the requirements for disinfected tertiary wastewater, and thus is a violation of the Permit. The Discharger violated its tertiary effluent limitations for biochemical oxygen demand (BOD) and total suspended solids (TSS) 17 times between December 26, 2007 and March 31, 2008. These effluent limitation violations are also subject to administrative civil liabilities pursuant to section 13385 of the CWC.

In addition, the Discharger has been unable to fully implement its plan to achieve compliance with the final effluent limitations for copper, lead, zinc and/or dichlorobromomethane, as the Discharger's plan for compliance is dependent upon completion of the Discharger's tertiary wastewater treatment plant upgrade.

6. The Discharger is violating or threatening to violate the following terms in the Permit:

A. DISCHARGE PROHIBITIONS

10. After October 6, 2007, the discharge to surface waters of effluent that has not been treated to the requirements of disinfected tertiary recycled water and filtered wastewater specified in Title 22, Sections 60301.230 and 60301.320(b) respectively, is prohibited. AWT requirements for discharges to surface waters are defined in Finding 6 of this Order.

B. EFFLUENT LIMITATIONS FOR DISCHARGES TO ATASCADERO CREEK

2. On or after October 6, 2007, advanced treated wastewater discharged to Atascadero Creek shall be adequately oxidized, filtered, and disinfected and shall not contain constituents in excess of the following limitations, as measured at Discharge Serial No. 001:

¹ The terms disinfected tertiary recycled water and advanced treated wastewater (AWT) are used interchangeably in Order No. R1-2004-0038, thus are used interchangeably in this Order. The term disinfected tertiary recycled water comes from Title 22, section 60301.230 and the term advanced treated wastewater comes from the Basin Plan, Chapter 4.

Constituent	Units	Monthly Average ₂	Weekly Average ₃
BOD (20°, 5-day)	mg/l	10	15
	lb/day (dry-weather) ^{4, 5}	12	18
	lb/day (maximum wet-weather)	71	106
Suspended Solids	mg/l	10	15
	lb/day (dry-weather) ^{4, 5}	12	18
	lb/day (maximum wet-weather)	71	106

J. GENERAL PROVISIONS

30. Interim Requirements and Compliance Schedule for Priority Pollutants.
(Note: Discharger is in violation of the fourth task in the compliance schedule – in bold type below)

Interim effluent limitations for priority pollutants specified in Effluent Limitations B.9 and B.10 apply until October 6, 2007 and may be extended

² The arithmetic mean of all daily determinations made during a calendar month. Where less than daily sampling is required, the average shall be determined by the summation of all the measured daily discharges divided by the number of days during the calendar month when the measurements were made. If only one sample is collected during that period of time, the value of the single sample shall constitute the monthly average.

³ The arithmetic mean of all daily determinations made during a calendar week, Sunday to Saturday. Where less than daily sampling is required, the average shall be determined by the summation of all the measured daily discharges divided by the number of days during the calendar week when the measurements were made. If only one sample is collected during that period of time, the value of the single sample shall constitute the weekly average.

⁴ The mass discharge (lbs/day) is obtained from the following calculation of any calendar week or month:

$$\frac{8.34}{N} \sum_i^N Q_i C_i$$

in which N is the number of samples analyzed in any calendar week or month. Q_i and C_i are the flow rate (mgd) and the constituent concentration (mg/l), respectively, which are associated with each of the N grab samples which may be taken in any calendar day, week or month. If a composite sample is taken, C_i is the concentration measured in the composite sample; and Q_i is the average flow rate occurring during the period over which samples are composited.

⁵ Mass based effluent limitations are based on the wastewater treatment facility (WWTF) average dry-weather design flow of 0.14 mgd. During wet-weather periods when the flow rate into the WWTF exceeds the dry weather design flow, the mass emission limitations shall be calculated using the concentration-based effluent limitations and the actual daily average flow rates (not to exceed the average daily wet-weather design flow of 0.85 mgd.)

to October 6, 2009 at the discretion of the Executive Officer. The Permittee shall comply with the following tasks, in compliance with the following time schedule to achieve compliance with the final effluent limitations in Effluent Limitations B.9 and B.10 by October 6, 2009.

Task	Date
Submit a written plan describing tasks and a time schedule to comply with Effluent Limitations B.9 and B.10.	April 15, 2006
Submit annual progress reports describing the status of efforts to comply with Effluent Limitations B.9 and B.10.	October 1 of each year, commencing October 1, 2006
Submit implementation plan to achieve compliance with the final effluent limitations for copper, lead, zinc, and/or dichlorobromomethane.	April 1, 2007
Implement a plan to achieve compliance with the final effluent limitations for copper, lead, zinc and/or dichlorobromomethane.	October 6, 2007
Comply with final CTR effluent limitations for copper, lead, zinc, and dichlorobromomethane.	October 6, 2009

31. Schedule for Compliance with Basin Plan Advanced Treatment Requirements (*Note: Discharger is in violation of the last two tasks in the compliance schedule – in bold type below*)

The Permittee shall comply with the following time schedule to ensure compliance with the Basin Plan advanced treatment requirement and Effluent Limitation B.2 of this Order by October 6, 2007.

Task	Date
Submit a written capital improvement plan describing specific tasks and a time schedule to achieve compliance with all Basin Plan AWT standards	March 15, 2005
Submit written semi-annual progress report detailing the status of the capital improvement project and compliance with Basin Plan AWT standards	April 1 and October 1 of each year through October 2007
Complete studies and environmental review for compliance with Basin Plan AWT standards	April 1, 2006
Submit capital improvement project plans and specifications	October 1, 2006
Complete construction of capital improvement project	August 1, 2007
Demonstrate compliance with Basin Plan AWT standards	October 6, 2007

7. The Discharger has completed the first three tasks identified in the General Provision J.30 compliance schedule table above and the first four tasks identified in the General Provision J.31 compliance schedule table above. The Discharger's capital improvement project (CIP) plan includes improvements to the existing headworks and secondary treatment plant (e.g., sludge removal from

treatment ponds), an upgrade of the POTW from secondary to tertiary through the addition of suspended air flotation and a media filter (fuzzy filter), replacement of transfer pumps, construction of a new chlorine contact basin and new sludge drying beds, and completion of a flood wall project to protect the POTW from winter flood events.

The Discharger did not complete construction of its CIP by August 1, 2007 and did not demonstrate compliance with Basin Plan AWT standards by October 6, 2007. The Discharger has completed portions of its CIP plan, such as the development of 100 percent design and specifications for the AWT upgrade project, removal of solids from its treatment ponds, chlorine contact chamber improvements, implementation of algae control projects, nutrient testing, and replacement of transfer pumps. The Discharger has not completed its POTW upgrade due to budget constraints, including a lack of funds to complete the flood wall project.

8. Self-monitoring reports submitted to the Regional Water Board during the 2007-2008 discharge season revealed 16 violations of biochemical oxygen demand (BOD) effluent limitations and one violation of total suspended solids effluent limitations during periods of discharge to Atascadero Creek. During the 2007-2008 discharge season the Discharger was able to achieve AWT effluent limitations required by Effluent Limitation B.2 of the Permit on occasion, but cannot meet the AWT effluent limitations consistently and reliably without completing its AWT upgrade.
9. The schedule originally proposed by the Discharger and adopted for the remaining tasks under the Permit, including acquisition of financing, is proving too ambitious. The Discharger has requested additional time to complete the remaining tasks and achieve full compliance with Order No. R1-2004-0038. The Discharger has stated that the flood wall project must be completed prior to installing new tertiary treatment equipment in order to protect it from future potential flood damage.
10. On April 3, 2007, the Discharger submitted its semi-annual progress report and notified the Regional Water Board that it would not be able to meet the August 1, 2007 and October 6, 2007 dates for construction of its CIP and demonstration that it had achieved compliance with the Basin Plan AWT standards in the Permit. The Discharger cited financial constraints as the primary cause of delays and the need to complete a flood wall project for protection of the POTW, prior to installation of new AWT treatment components.
11. On May 3, 2007, July 23, 2007, November 15, 2007, and June 13, 2008 the Discharger submitted written requests to the Regional Water Board for a three-year time extension to complete its capital improvement project. The May 3, 2007 letter included a summary of funds available and a chronology of events to illustrate that the Discharger has been working diligently to fulfill permit requirements to achieve AWT. The requested time extension was intended to

provide sufficient time for the Discharger to acquire financing and complete construction of its CIP.

12. On August 21, 2007, the Discharger applied to FEMA for funding to complete the flood wall project. On November 8, 2007, FEMA informed the Discharger in writing that FEMA funding was being denied. The Discharger has appealed the denial and is currently working with FEMA representatives to demonstrate that the flood wall project qualifies for FEMA funding.
13. On August 26, 2008, the Discharger submitted a revised written request to the Regional Water Board, stating that the Discharger is working to resolve two major funding impediments to the CIP project completion: (1) Appeal of FEMA denial for necessary flood protection funding and approval, and (2) Application for financing of CIP project through the State Water Board State Revolving Fund (SRF) program. The Discharger's letter stated further that if either FEMA or SRF funding is delayed, the District would have difficulty meeting a 2010 deadline for completion of its CIP and requested a schedule that would allow the District five years to achieve full compliance and that would be structured with increasingly restrictive conditions. The proposed changes could delay final compliance with the Permit to the fall of 2012.
14. The Discharger has expressed its intent to complete the CIP in the shortest time frame possible in its August 26, 2008 letter and a follow-up email dated September 17, 2008. The Requirements section of this Order, below, contains two time schedules. The Discharger must preferentially pursue the time schedule in Requirement 2 to complete its CIP by October 6, 2010. Requirement 3 provides the Discharger with the option to demonstrate that it requires additional time to complete its CIP and offers the ability to request that the Regional Water Board Executive Officer grant additional time to complete the CIP. This time schedule allows two additional years to complete the CIP if the Discharger experiences delays in obtaining needed funding.
15. Under CWC section 13385(j)(3), mandatory minimum penalties (MMPs) will not apply to future violations of the tertiary treatment effluent limitations for BOD and TSS if:
 - a. A cease and desist order is issued on or after July 1, 2000, and specifies the actions that the discharger is required to take in order to correct the violations;
 - b. The regional board finds that the discharger is not able to consistently comply with one or more of the effluent limitations established in the waste discharge requirements applicable to the waste discharge because the effluent limitation is a new or more stringent regulatory requirement that has become applicable to the waste discharge after the effective date of the waste discharge requirements and after July 1, 2000, new or modified control measures are necessary in order to comply with the effluent limitation, and the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days;

- c. The regional board establishes a time schedule for bringing the waste discharge into compliance with the effluent limitations that is as short as possible, taking into account the technological, operational, and economic factors that affect the design, development, and implementation of the control measures that are necessary to comply with the effluent limitations, and where the time schedule exceeds one year, the time schedule includes interim requirements and actions and milestones leading to compliance, and
 - d. The discharger has prepared and is implementing in a timely and proper manner, or is required by the regional board to prepare and implement, a pollution prevention plan pursuant to CWC section 13263.3.
16. The Discharger meets the requirements of CWC section 13385(j)(3), and therefore, no MMPs will be assessed for future violations of the tertiary treatment effluent limitations for BOD and TSS because:
 - a. The CDO is being issued after July 1, 2000, and specifies the actions the Discharger is required to take to correct the violations of the compliance schedules in General Provision J.30 and J.31 of the Permit;
 - b. The tertiary treatment effluent limitations are more stringent than those required by the Discharger's previous Waste Discharge Requirements Order No. 95-56, adopted on August 24, 1995. The Discharger is not able to consistently comply with tertiary effluent limitations for BOD and TSS in the Permit. To ensure consistent compliance, the Discharger will need to implement control measures and these control measures (e.g., tertiary treatment plant upgrade and appropriate interim measures) will take more than 30 calendar days to finance and construct;
 - c. Requirements 2 and 3 of this Order establish time schedules for bringing the POTW into compliance with the effluent limitations that are as short as possible. The Discharger is required to follow the time schedule in Requirement 2, but may follow the time schedule in Requirement 3 upon demonstration that additional time is needed due to delays in obtaining funding that are beyond the Discharger's control and subsequent approval of the Regional Water Board Executive Officer. Requirement 2 gives up to three (3) years and Requirement 3 gives up to five (5) years from the compliance schedule dates in the Permit for the Discharger to obtain financing and construct AWT facilities to comply with tertiary treatment effluent limitations for BOD and TSS. Until those compliance dates, interim limits in the Permit for BOD and TSS will apply. Milestones for compliance are set out in the Requirements section of this Order.
 - d. This Order requires the Discharger to submit a pollution prevention plan designed to lessen the potential for permit violations.

17. Accordingly, the Regional Water Board finds that MMPs for violations of AWT effluent limitations for BOD and TSS when discharging to Atascadero Creek (Effluent Limitation B.2 in the Permit) do not apply, so long as the Discharger complies with the secondary treatment effluent limitations contained in Effluent Limitation B.1 of the Permit and the appropriate compliance schedule in this Order.
18. The Graton CSD POTW continues to experience compliance problems. In order to reduce potential violations during the extended compliance period, it is necessary for the Discharger to submit and implement a pollution prevention plan in accordance with the compliance schedule in this Order and implement public outreach/education activities directed at reducing the discharge of pollutants to the POTW. If a CIP will not be completed by August 1, 2010, the Discharger must, by October 1, 2010, complete an interim project directed at improving system reliability and/or reducing flows and/or pollutant loads and compliance with the Permit. The pollution prevention plan and interim project must be designed to lessen the potential for permit violations.
19. On September 19, 2008, the Discharger submitted a written report by email that identifies an interim project to complete repairs to the control structure in the number one treatment pond and provide biological enhancement. This project will allow the Discharger to recirculate effluent, reduce BOD, and enhance aerobic and anaerobic denitrification in the treatment process.
20. Additional discharges to the POTW over the extended compliance period may result in further compliance problems and actual or threatened violation of the Permit. CWC section 13301 states in part:

“In the event of an existing or threatened violation of waste discharge requirements in the operation of a community sewer system, cease and desist orders may restrict or prohibit the volume, type, or concentration of waste that might be added to such system by dischargers who did not discharge into the system prior to the issuance of the cease and desist order.”

Title 23, California Code of Regulations (CCR), section 2244(b) states:

“Prohibitions or appropriate restrictions on additional discharges should be included in a cease and desist order if the further addition in volume, type, or concentration of waste entering the sewer system would cause an increase in violation of waste discharge requirements or increase the likelihood of violation of requirements.”

The Regional Water Board finds that additional discharges into the POTW would cause an increase in violations of the Permit or increase the likelihood of violation of such requirements. Such violations or likelihood of violations cannot be immediately corrected. Therefore, a connection ban restricting additional volumes of waste from entering the POTW is necessary if the CIP is not completed by August 1, 2010.

21. Pursuant to Water Code section 13389 and title 14, California Code of Regulations, section 15321, this is an enforcement action for violations and threatened violations of waste discharge requirements and as such is exempt from the requirements of the California Environmental Quality Act (Public Resources Code sections 21000-21177). Section 15321 of the CEQA Guidelines provides a categorical exemption for actions by regulatory agencies to enforce a permit, but does not exempt construction activities related to that enforcement. The Discharger is the lead agency for CEQA compliance for adoption and implementation of the CIP. In addition, this CDO action is exempt from CEQA pursuant to Water Code section 13389. That section exempts from the requirements of CEQA the Regional Water Board's adoption of waste discharge requirements. In *Pacific Water Conditioning Association v. City Council of the City of Riverside*, 73 Cal. App. 3d 546, 556 (1977), the court held that the CEQA exemption provided by 13389 also applies to CDOs that are enforcing NPDES permits. In addition, an environmental analysis is not required for this CDO action because there is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs., tit. 14, § 15061(b)(3).) The CDO extends deadlines to meet the effluent limitations in the existing waste discharge requirements/NPDES permit, but this CDO action does not change currently existing baseline conditions. The CDO is intended to require the Discharger to achieve compliance with the NPDES requirements. It can, therefore, be seen with certainty that the adoption of the CDO does not have any possibility of having a significant adverse effect on water quality.
22. On December 11, 2008, after due notice to the Discharger and all other interested persons, the Regional Water Board conducted a public hearing and received evidence regarding this Cease and Desist Order.

THEREFORE, IT IS HEREBY ORDERED, that pursuant to Water Code sections 13300 and 13301, Graton CSD shall cease discharging waste contrary to the prohibitions and effluent limitations contained in Findings 4 and 6, above, and comply with the following requirements:

1. The Discharger shall comply with secondary effluent limitations contained in Effluent Limitation B.1 of the Permit.
2. The Discharger shall implement the following time schedule:

Task	Task Description	Compliance Date
A	Submit written semi-annual progress reports detailing the status of the capital improvement project and compliance with Basin Plan AWT standards. The progress reports shall also report on the status of obtaining financing for the CIP and report the details of at least one public education/outreach activity conducted during the reporting period.	April 1 and October 1 of each year through October 2010

Task	Task Description	Compliance Date
B	Submit a pollution prevention plan (PPP) that meets the requirements of CWC section 13263.3(d)(3). The PPP must be designed to identify and control pollution at the POTW during the interim period of time until the AWT upgrade is complete.	March 1, 2009
C	Complete construction of the capital improvement project	August 1, 2010
D	Demonstrate compliance with Basin Plan AWT standards	October 6, 2010

3. If funding for the CIP is delayed beyond the control of the Discharger, the Discharger shall submit a written request to the Regional Water Board Executive Officer requesting and demonstrating the need for additional time to complete its CIP. Upon approval of the Regional Water Board Executive Officer, the Discharger shall implement the following time schedule in place of the schedule in Requirement 2 above:

Task	Task Description	Compliance Date
A	Submit written semi-annual progress reports detailing the status of the capital improvement project and compliance with Basin Plan AWT standards. The progress reports shall also report on the status of obtaining financing for the CIP and report the details of at least one public education/outreach activity conducted during the reporting period.	April 1 and October 1 of each year through October 2012
B	Submit a pollution prevention plan (PPP) that meets the requirements of CWC section 13263.3(d)(3). The PPP must be designed to identify and control pollution at the POTW during the interim period of time until the AWT upgrade is complete.	March 1, 2009
C	Complete the interim project identified in Finding 19 and provide a report confirming completion of the interim project.	No later than April 1, 2010
E	Complete construction of capital improvement project	No later than August 1, 2012
F	Demonstrate compliance with Basin Plan AWT standards	No later than October 6, 2012

4. During the time period described in Requirements 2 and 3 above, the Discharger shall operate and maintain, as efficiently as possible, all facilities and systems necessary to comply with all prohibitions, effluent limitations and requirements identified in the Permit or any future waste discharge requirements issued for the POTW.
5. If at any time the Discharger determines that it is unable to complete its CIP by August 1, 2010, the addition of (a) new flows of wastewater to the POTW from new

residential, commercial, industrial, and/or governmental connections or (b) increase in wastewater flows (either in volume or concentration) to the POTW from existing facilities that are already connected to the POTW is restricted to the equivalent of eight (8) single family dwelling units per year until such time that it can be demonstrated to the satisfaction of the Regional Water Board that more connections will not result in additional violations of the terms of the Permit, or future renewals thereto, as described in Finding Nos. 4 through 6 above. (California Code of Regulations, title 23 § 2244.)

6. The following are excluded from the Additional Discharge Restriction (Requirement 5 of this Order):
 - a. Structures with building permits (or, if the governmental entity with jurisdiction does not issue a document called a "building permit", such other approval document that constitutes final approval of construction) already issued at the time of publication of the public notice (September 27, 2008) for a hearing on this Order are excluded from the Additional Discharge Ban in accordance with Title 23, CCR, section 2244.1(a).
 - b. Those structures that normally do not require a building permit (e.g., those government buildings exempted from the permit process) shall be exempt from the Additional Discharge Ban if construction has commenced.
 - c. Discharges from existing dwellings not connected to the sewer system that have methods of waste disposal that are causing more severe water quality problems than those caused by the community sewer system.
 - d. Discharges which, by reason of special circumstances, if not allowed to connect to the community sewer system would result in extreme public hardship or public health hazard. This is not intended to mean that economic loss to a community as a whole or to any public agency or private person within the community is by itself cause for not prohibiting additional connections because such loss is the rule rather than the exception and cannot outweigh the need to prevent an increase in water quality improvement which is the basic reason for the prohibition.
7. Persons wishing to obtain an exclusion from the prohibition or restriction provided in Requirements 6.c and 6.d, above, shall make such request, in writing, to the Regional Water Board Executive Officer. The Executive Officer shall promptly act on the request, but in no event later than 60 days from receipt of the request.
8. Restrictions on additional discharges cannot be removed until the violation of the requirements which were the basis for imposing the prohibitions have ceased and consistent compliance with those requirements has been achieved. However, the Regional Water Board may provide an exception, and remove the restriction set out in Requirement 5, above, if, pursuant to Title 23, CCR, Section 2244.3(b), Regional Water Board finds that:

- Consistent compliance with requirements can be achieved only by construction of a facility which will take a substantial period of time to complete; and
 - The Discharger has the capacity, authority, and final resources to complete the corrective measures necessary to achieve compliance and is currently proceeding with such corrective measures; and
 - The corrective measures necessary to achieve compliance with requirements will be completed and placed into operation by the Discharger in the shortest practicable time; and
 - All practicable interim repairs and improvements to the treatment process of the discharges which can be made have been made; and
 - During the interim period of time until compliance with requirements can be fully achieved the treatment process of the discharges will be so managed, operated, maintained and repaired as to reduce to a minimum the violations which resulted in the imposition of the restriction, and such minimum violations for the interim period of time involved will not significantly impair water quality or beneficial uses.
9. If, for any reason, the Discharger is unable to perform any activity or submit any documentation in compliance with the deadlines set forth in Requirements 2 or 3, above, the Discharger may request, in writing, that the Regional Water Board grant an extension of the time. The extension request shall include justification for the delay. An extension may be granted by the Regional Water Board for good cause, in which case this Order will be accordingly revised in writing.
10. If the Executive Officer of the Regional Water Board finds that the Discharger fails to comply with the provisions of this Order, the Executive Officer may take all actions authorized by law, including referring the matter to the Attorney General for judicial enforcement or issuing a complaint for administrative civil liability pursuant to Water Code sections 13350 and 13385. The Regional Water Board reserves the right to take any enforcement actions authorized by law.

CERTIFICATION

I, Catherine Kuhlman, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on December 11, 2008.

Catherine Kuhlman
Executive Officer