

California Regional Water Quality Control Board
North Coast Region

ORDER NO. R1-2012-0102

(Revised on February 8, 2018 by Modification Order No. R1-2018-0007)

**REQUIRING THE OCCIDENTAL COUNTY SANITATION DISTRICT
AND SONOMA COUNTY WATER AGENCY
TO CEASE AND DESIST FROM DISCHARGING OR THREATENING
TO DISCHARGE EFFLUENT IN VIOLATION OF
WASTE DISCHARGE REQUIREMENTS FOR THE
OCCIDENTAL COUNTY SANITATION DISTRICT
WASTEWATER TREATMENT FACILITY**

NPDES NO. CA0023051
WDID NO. 1B830010SON

Sonoma County

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

1. The Occidental County Sanitation District (OCSD) owns the Occidental Wastewater Treatment Facility (Facility), a publicly owned treatment works (POTW). The Sonoma County Water Agency (SCWA) is under contract to operate and maintain the Facility. The OCSD and SCWA are collectively referred to as the Permittee¹. The Facility discharges secondary treated wastewater under Waste Discharge Requirements Order No. R1-2012-0101 (Permit), adopted by the North Coast Regional Water Quality Control Board (Regional Water Board) on December 6, 2012. The Permit also serves as a National Pollutant Discharge Elimination System (NPDES) permit (NPDES No. CA0023051). Previously, the Facility was regulated under WDR Order No. 93-42.
2. The Permit contains discharge prohibitions, effluent and receiving water limitations, monitoring and reporting requirements, and compliance provisions. The final effluent limitations for biochemical oxygen demand (BOD₅), total suspended solids (TSS), total coliform, and chlorine residual, and new final effluent limitations for copper, lead, silver, cyanide, dichlorobromomethane (DCBM), chlorodibromomethane (CDBM), bis(2-ethylhexyl) phthalate, and ammonia in Order No. R1-0102 are stricter than in Order No. 93-42.
3. The Facility is designed to provide secondary wastewater treatment for a population of 650 and has an average dry weather flow of 0.05 million gallons per day (mgd).

¹ For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Permittee herein.

The Facility consists of a collection system, grit chamber, lift station with overflow storage, aerated treatment pond, settling pond, chlorine disinfection, dechlorination, and pH adjustment.

Treated, disinfected, dechlorinated effluent is discharged to Graham's Pond, a 10 million gallon storage reservoir, which overflows to Dutch Bill Creek, a tributary of the Russian River, a water of the United States. Effluent mixed with storm water is discharged from Graham's Pond to Dutch Bill Creek during the winter months. During the dry season, effluent from Graham's Pond is utilized for pasture irrigation.

The Permittee has utilized Graham's Pond as a year-round storage reservoir since 1977. However, Regional Water Board analysis has determined that Graham's Pond is a water of the United States due to its construction and location. Graham's Pond is an in-stream pond originally for use as an agricultural pond that was constructed at the headwaters of Dutch Bill Creek, a tributary to the Russian River, a water of the United States. Graham's Pond receives runoff from upstream slopes and several small drainages.

4. The Regional Water Board adopted the *Water Quality Control Plan for the North Coast Region* (hereinafter Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan. The Basin Plan identifies present and potential beneficial uses for the Russian River, to which Dutch Bill Creek and Graham's Pond are tributary.
5. The Permit implements provisions of the Basin Plan that require advanced wastewater treatment for discharges to surface waters. Order No. 93-42 allowed discharges of disinfected secondary effluent as long as the average annual dry weather flow is less than 0.034 mgd and requires advanced wastewater treatment when the average annual dry weather flow equals or exceeds 0.034 mgd. Since the Basin Plan does not provide any exceptions to the advanced wastewater treatment requirement, Order No. R1-2012-0102 requires advanced wastewater treatment for all discharges to surface waters regardless of the flow.
6. The Permit also implements provisions of the Basin Plan that prohibit discharges of waste to the Russian River and its tributaries during the period of May 15 through September 30, and during all other periods when the waste discharge flow is greater than one percent of the receiving stream's flow as set forth in NPDES permits. As previously identified in Finding 3, Graham's Pond is constructed at the headwaters of Dutch Bill Creek and receives flow from upstream tributaries and discharges to Dutch Bill Creek, therefore it is part of Dutch Bill Creek and a water of the U.S.

7. The Permit also implements narrative provisions of the Basin Plan by requiring the Permittee to monitor its effluent for constituents that may have reasonable potential to cause or contribute to an excursion above a water quality criterion or objective applicable to the receiving water, including BOD₅, TSS, nitrate, ammonia, chlorine residual, and Title 22 pollutants and establishes effluent limitations for the first five of these pollutants. The Basin Plan also includes a narrative toxicity objective that requires all waters to be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life. The Basin Plan objective is applicable because ammonia is toxic to aquatic life and must be controlled in order to prevent toxicity.
8. The Permit implements provisions of the California Toxics Rule (CTR) and the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP) by requiring the Permittee to monitor its effluent for CTR constituents that may have reasonable potential to cause or contribute to an excursion above a water quality criterion or objective applicable to the receiving water and establishes effluent limitations for the CTR pollutants copper, lead, silver, cyanide, DCBM, CDBM, and bis(2-ethylhexyl) phthalate. The SIP also requires compliance with all final effluent limitations for CTR constituents by May 18, 2010.
9. The Permittee is violating or threatening to violate the following terms in Order No. R1-2012-0101

III. DISCHARGE PROHIBITIONS

- I. The discharge of wastewater effluent from the Facility to Dutch Bill Creek or its tributaries is prohibited during the period from May 15 through September 30 of each year.
- J. During the period of October 1 through May 14 of each year, discharges of wastewater to Dutch Bill Creek, which is a tributary of the Russian River shall not exceed one percent of the flow of Dutch Bill Creek, as measured at the Camp Meeker bridge.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. EFFLUENT LIMITATIONS

1. **Final Effluent Limitations – Discharge Point 001 (Discharge to Graham’s Pond)**

- a. The discharge of advanced treated wastewater, as defined by the numerical limitations below, shall maintain compliance with the following effluent limitations at Discharge Point 001, during periods of discharge to Dutch Bill Creek, with compliance measured at Monitoring Location EFF-001, as described in the Monitoring and Reporting Program (MRP) (Attachment E). The advanced treated wastewater shall be adequately oxidized, filtered, and disinfected as defined in title 22, division 4, chapter 3, of the CCR.

Table 4. Final Effluent Limitations for Discharge Point 001 (Discharge to Graham's Pond)

Parameter	Units	Effluent Limitations				
		Average Monthly ¹	Average Weekly ¹	Maximum Daily ¹	Instantaneous Minimum ¹	Instantaneous Maximum ¹
Biochemical Oxygen Demand 5-day @ 20°C (BOD ₅)	mg/L	10	15	---	---	---
	lbs/day ₂	4.2	6.3	---	---	---
Total Suspended Solids (TSS)	mg/L	10	15	---	---	---
	lbs/day ₂	4.2	6.3	---	---	---
Copper, Total Recoverable	µg/L	2.5	---	7.8	---	---
Lead, Total Recoverable	µg/L	0.65	---	1.5	---	---
Silver, Total Recoverable	µg/L	0.5	---	1.0	---	---
Cyanide	µg/L	4.3	---	8.5	---	---
Dichlorobromo-methane	µg/L	0.56	---	1.3	---	---
Chlorodibromo-methane	µg/L	0.41	---	0.8	--	---
Bis(2-EthylHexyl) Phthalate	µg/L	1.8	---	4.5	---	---
Chlorine, Total Residual,	mg/L	0.01	---	0.02	---	---
Ammonia, Total as N	mg/L	1.2	---	2.1	---	---

Parameter	Units	Effluent Limitations				
		Average Monthly ¹	Average Weekly ¹	Maximum Daily ¹	Instantaneous Minimum ¹	Instantaneous Maximum ¹
<u>Table Notes:</u>						
1. See Definitions in Attachment A and Compliance Determination discussion in section VII of this Order.						
2. Mass-based effluent limitations are based on the design flow of the Facility of 0.05 mgd and apply during periods of discharge to surface waters (Graham's Pond). See section VII.H of this Order regarding compliance with mass-based effluent limitations.						

b. Percent Removal. The average monthly percent removal of BOD₅ and TSS shall not be less than 85 percent. Percent removal shall be determined from the monthly average value of influent wastewater concentration in comparison to the monthly average value of effluent concentration measured at Monitoring Location EFF-001 for the same constituent over the same time period measured at Monitoring Location INF-001.

e. Acute Toxicity. There shall be no acute toxicity in treated wastewater discharged to Graham's Pond. The Permittee will be considered in compliance with this limitation when the survival of aquatic organisms in a 96-hour bioassay of undiluted effluent complies with the following:

- i. Minimum for any one bioassay: 70 percent survival
- ii. Median for any three or more consecutive bioassays: at least 90 percent survival.

Compliance with this effluent limitation shall be determined in accordance with section V.A. of the attached MRP.

10. The Permittee will be unable to comply with waste discharge requirements identified in Finding 9, above, until the Permittee implements a capital improvement project (CIP) to achieve compliance with the Permit.

11. The Facility has a long history of exceeding effluent limitations established in WDRs. The Facility has been subject to Cease and Desist Order (CDO) No. R1-2012-0102 since December 6, 2012, which requires the Permittee to complete tasks, including a CIP to achieve compliance with the Permit. At the adoption hearing on December 6, 2012, the Regional Water Board Chair emphasized the need to achieve compliance during the term of Order No. R1-2012-0101, in light of the long history of noncompliance. Previously, the Facility was subject to CDOs adopted by the Regional

Water Board in 1997, 2001, 2003, 2004, and 2005. Each CDO provided the Permittee with time to implement a long-term solution to on-going Basin Plan and permit violations. The Permittee has identified multiple projects and prepared California Environmental Quality Act (CEQA) documents for four projects that were later determined to be financially and/or technically infeasible or eliminated due to rate payer opposition. These projects included (1) a community leachfield; (2) a pipeline to the Russian River County Sanitation District (RRCSD) Wastewater Treatment Facility; (3) construction of a new effluent storage pond with concurrent treatment plant upgrades to allow expanded water recycling; and (4) trucking of raw sewage to the RRCSD Main Lift Station.

12. California Water Code section 13301 of the 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.”

13. Order No. R1-2012-0102, requires completion of a CIP by January 31, 2018. On March 31, 2017, the Permittee submitted its semi-annual progress report and notified Regional Water Board Staff (Staff) that the project to truck raw sewage to RRCSD was no longer being pursued due to opposition from the RRCSD rate-payers. The progress report further stated that the Permittee needed to modify the compliance project and schedule given the time needed to complete a new environmental document for an altered project to truck raw sewage to the Airport-Larkfield-Wikiup Sanitation Zone (ALWSZ) Wastewater Treatment Facility.
14. On December 8, 2017, the Permittee submitted a letter to Staff providing a late semi-annual progress report and request for additional time to complete the CIP required by Order No. R1-2012-0102 and protection from mandatory minimum penalties. The letter states that the Permittee does not expect to meet the January 31, 2018, CDO deadline, but intends to minimize discharges to Graham’s Pond by that date. The letter further states that complete cessation of discharges to Graham’s Pond and compliance with all requirements in Order No. R1-2012-0101 will occur by July 31, 2018, and that the CIP will be completed by late October 2018. The letter also states that the Permittee is making a strong effort to begin trucking by January 31, 2018, but that the early trucking efforts cannot ensure that discharges to Graham’s Pond will not occur if significant wet weather events occur between February 1, 2018, and July 31, 2018.

15. The Regional Water Board Executive Officer (Executive Officer) reviewed the Permittee's December 8, 2017, letter and recognizes that the Permittee is unlikely to cease all discharges to Graham's Pond and Dutch Bill Creek by the deadline imposed by Order No. R1-2012-0102 adopted on December 6, 2012, and that the Permittee is in the process of completing a CEQA document for the ALWSZ trucking project in order to achieve compliance in the shortest time frame possible. The semi-annual progress reports submitted during the term of this Order have provided documentation of the Permittee's slow but steady progress toward compliance with the requirement to complete a CIP to achieve compliance with WDRs.
16. Violations of Order Nos. 93-42 and R1-2012-0101 have also been the subject of four administrative civil liability complaints (Order Nos. 97-126, R1-2003-0125, R1-2007-0022, and R1-2014-0045) issued by the Executive Officer and two administrative civil liability orders, Order Nos. R1-2007-0054 and R1-2015-0066, adopted by the Regional Water Board. Since 1997, the Permittee has been assessed \$518,000 in penalties for violations of effluent limitations including BOD₅, TSS, coliform, chlorine residual, pH, and acute toxicity. \$145,000 of those penalties have been paid to the State Water Resources Control Board, while the difference of \$372,500 has been used to complete compliance projects as allowed under section 13385(l)(1) of the Water Code. The Permittee completed a settling pond dredging project in June 2002, baffle installation project in the aerated treatment pond in April 2004, collection system replacement project in 2007, and a small woody debris removal supplemental environmental project in the Laguna de Santa Rosa watershed in 2015.
17. Pursuant to federal regulations at section 122.44(d)(1)(i), title 40 of the Code of Federal Regulation (CFR), NPDES permit effluent limitations must control all pollutants which are or may be discharged at a level which will cause or have the reasonable potential to cause or contribute to an in-stream excursion above any State water quality standard, including any narrative criteria for water quality. Beneficial uses, together with their corresponding water quality objectives or promulgated water quality criteria, can be defined per federal regulations as water quality standards.
18. Pursuant to Water Code section 13385(j)(3), mandatory minimum penalties (MMPs) will not apply to future violations of the final effluent limitations for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia, 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 that would otherwise be subject to MMPs;

- 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, not to exceed five years, 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 Water Code section 13263.3. For the purposes of section 13263.3, "pollution prevention" means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, amongst other things, "operational improvement" which means improved site management so as to reduce, avoid, or eliminate the generation of pollutants discharged in wastewater. For the purposes of this Order "site" is defined as the Facility and areas impacted by Facility activities. The revised pollution prevention plan that the Permittee is required to submit pursuant to this Order may also include habitat restoration projects(s) located downstream of the discharge location that improve water quality and lead to net environmental benefits.
19. The Permittee meets the requirements of Water Code section 13385(j)(3), and therefore, during the term of this CDO, no MMPs will be assessed for future violations of the effluent limitations for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia because:
- a. The CDO is being issued after July 1, 2000, and specifies the actions the Permittee is required to take to correct the violations of Order No. R1-2012-0101 (Effluent Limitation IV.A.1), as set out in Finding 9, above.
 - b. The Permittee is unable to consistently comply with final effluent limitations for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia that are in effect because (1) these are new or more

stringent effluent limitations and (2) new or modified control measures will be needed for the Permittee to comply, and the new or modified control measures are dependent on the completion of studies and securing funding, thus the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.

On September 10, 2012, the Permittee submitted an Infeasibility Study report demonstrating that it is infeasible to immediately comply with final effluent limitations in Order No. R1-2012-0101 for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia. The Permittee also submitted a proposed compliance schedule for completion of a CIP. The compliance schedule submitted by the Permittee proposed 10 years to complete a CIP to achieve full compliance with WDRs. The Regional Water Board gave the Permittee a five year time frame to achieve compliance because the Regional Water Board had already worked with the Permittee for 15 years and conveyed the expectation that the Permittee needed to work diligently toward achieving compliance in a five year time frame.

On December 8, 2017, the Permittee submitted a request for a time extension to achieve compliance with the final effluent limitations for these constituents. The Permittee's request demonstrated that it is infeasible to comply with final effluent limitation in Order No. R1-2012-0101 by January 31, 2018 and identifies the need for six additional months cease discharges to Graham's Pond and nine additional months to achieve full compliance with the NPDES permit.

- c. Requirement 2 of this Order establishes a time schedule for bringing the Facility into compliance with the final effluent limitations for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia that is as short as possible. The original compliance schedule was limited to five years as required by Water Code section 13385(j)(3)(C). Pursuant to Water Code section 13385(j)(3)(C)(ii)(II), following a public hearing, and upon a showing that the Permittee is making diligent progress toward bringing the waste discharge into compliance with final effluent limitations, the Regional Water Board may extend the compliance schedule for an additional period not exceeding five years in length. This Order extends the compliance schedule by nine months.
- d. The compliance schedule in Requirement 2 requires the Permittee to revise and continue implementing a Pollution Prevention Plan pursuant to section 13263.3 of the Water Code. The Permittee submitted a Pollution Prevention Plan on April 1, 2013. As a requirement of this CDO, the Permittee is required to submit a revised Pollution Prevention Plan for Executive Officer approval. The revised Pollution Prevention Plan shall include a plan for operational improvements that will remove pollutants that have accumulated in the Dutch Bill Creek Watershed as a

result of wastewater effluent discharges from the Facility and to prevent accumulated pollutants from discharging to surface waters.

20. Accordingly, the Regional Water Board finds that MMPs for violations of effluent limitations for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia when discharging to Graham's Pond and Dutch Bill Creek do not apply, so long as the Permittee complies with the interim effluent limitations and compliance schedules included in this Order.
21. The revised compliance schedule established for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia in this Order is intended to be as short as possible. The compliance schedule accounts for the length of time required to complete environmental documents, design documents, obtain financing, purchase trucks, and construct a truck fill station at the Occidental Wastewater Treatment Facility lift station and a wastewater receiving station at the ALWSZ Wastewater Treatment Facility to complete the CIP.
22. This Order requires the Permittee to comply with interim effluent limitations for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia. The SIP requires that interim limitations be based on past performance or limits in previous orders, whichever is more stringent. In this case, interim limitations for priority pollutants are performance-based. Interim limitations for lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, and ammonia reflect the highest detected concentration. Interim limitations for copper reflect a 95th percentile concentration due to the fact that the copper data set is lognormal with a high coefficient of variation (2.2), and it would not be appropriate to set an interim limit based on a markedly high result (e.g., 470 µg/L in a dataset with an average of 20.4 µg/L and a median of 17 µg/L). Effluent limitations for total coliform are based on limits in Order No. 93-42. Concentration- and mass-based interim limitations for BOD₅ and TSS are also based on limits in Order No. 93-42. Percent removal limits for TSS are based on past Facility performance using data submitted by the Permittee between 2008 and August 2012. This data represents Facility performance since the Permittee implemented the interim projects identified in Finding 16, above. All of the interim limitations in this Order are intended to ensure that the Permittee maintains at least its existing performance while completing all tasks required by the compliance schedules.
23. The Regional Water Board has provided notice of the public hearing to the Permittee, interested agencies and persons, where it will consider issuance of this revised Cease and Desist Order. The Regional Water Board posted notice of the hearing and a copy of the proposed Cease and Desist Order on its website on **January 24, 2018**, and has provided additional notice as required by Government Code sections 11125 and 11125.9.

24. Pursuant to 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 section 21000-21177) (CEQA). Section 15321 of the CEQA Guidelines provides a categorical exemption for actions by regulatory agencies to enforce permit conditions. 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 that serve as NPDES permits. 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 enforce NPDES permits. The Permittee is completing CEQA documentation as the lead agency for adoption and implementation of the CIP. If the Regional Water Board determines that implementation of any plan required by this Order is not otherwise exempt from CEQA, the Regional Water Board will ensure that environmental review necessary to comply with CEQA has been conducted prior to approving implementation of the applicable plan.
25. Requirements of this Order may require the Permittee to obtain additional permits or authorizations to meet all local, state, and federal regulatory requirements. Issuance of this Order does not authorize Permittee to conduct any activities that may require Permittee to obtain additional permits from other regulatory agencies.
26. On February 8, 2018, after due notice to the Permittee and all other interested persons, the Regional Water Board conducted a public hearing and received evidence regarding this Order.

THEREFORE, IT IS HEREBY ORDERED, that pursuant to Water Code section 13301, the Permittee shall cease discharging waste contrary to the Basin Plan prohibitions and permit requirements and effluent limitations identified in Findings 5 through 9, above, and comply with the following requirements:

1. The Permittee shall cease and desist from discharging and threatening to discharge waste to Graham's Pond and Dutch Bill Creek between May 15 and September 30 of each year in violation of the seasonal discharge prohibition identified in Discharge Prohibition III.I of Order No. R1-2012-0101 and achieve compliance with final effluent limitations for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia identified in Effluent Limitation IV.A.1 of Order No. R1-2012-0101 at the earliest possible date in accordance with the following compliance schedule:

Task²	Task Description	Compliance Date	Status
1	Submit to the Executive Officer, conceptual design plans describing a proposed capital improvement project (CIP).	February 1, 2013	Completed for original project
2	Submit to the Executive Officer, a financial plan describing the costs associated with the proposed CIP and an implementation schedule that shows how the Permittee will raise the necessary funds.	February 1, 2013	Completed for original project
3	Submit to the Executive Officer, semi-annual progress reports that identify specific steps that have been taken toward identification and implementation of the CIP during the previous 6 months and describing the status of interim operations at the existing Facility ¹ .	March and September of each year, beginning March 1, 2013 through completion of construction of CIP	Completed and On-going
4	Submit for Executive Officer approval and implement a Pollution Prevention Plan (PPP) in accordance with Water Code section 13263.	April 1, 2013	Completed
5 (11)	Submit Report of Waste Discharge to the Executive Officer.	March 1, 2017	Submitted and additional information to be submitted upon request from the Executive Officer
6 (5)	Submit to the Executive Officer, 60% design plans for the proposed CIP.	December 1, 2013	Completed for original project
		January 31, 2018	To be completed prior to Board Meeting

7 (6)	Complete the CEQA process. Submit to the Executive Officer, documentation of certification of the final CEQA document and approval by the District Board of Directors.	December 1, 2014	Completed for original project
		January 31, 2018	To be completed prior to Board Meeting
8	Complete final project design and advertise for construction bids for the CIP. Submit final specifications and design drawings and bid documents to the Executive Officer.	January 31, 2018	To be completed prior to Board Meeting
9 (7)	Secure funding for the proposed CIP and provide the Executive Officer with documentation regarding the funding source(s).	February 14, 2018	Revised date for new project
10 (9)	Award construction contract for the CIP and submit documentation to the Executive Officer.	February 14, 2018	Revised date for new project
11 (10)	Commence construction of the CIP.	March 31, 2018	Revised date for new project
12	Submit for Executive Officer approval, a revised Pollution Prevention Plan that includes a plan and a schedule of implementation for operational improvements that will remove pollutants that have accumulated in the Dutch Bill Creek Watershed as a result of wastewater effluent discharges from the Facility and /or prevent accumulated pollutants from being released to surface waters.	June 1, 2018	New task
13	Achieve full operation of the CIP in compliance with applicable WDRs, including effluent limitations and Basin Plan prohibitions and requirements.	July 31, 2018	Revised date for new project
14 (12)	Complete construction of the CIP.	October 1, 2018	Revised date for new project

<p>Table Notes:</p> <ol style="list-style-type: none"> 1. Semi-annual progress reports shall provide comprehensive updates on project milestones and shall include, but not be limited to, information such as CEQA document progress, progress on project design, posting of Requests for Proposals, selection of consultants and contractors, bid award, efforts to obtain funding, submittal of grant applications, and progress toward construction of the selected CIP. The semi-annual progress reports should include technical and financial information that demonstrates that the projects are moving ahead in a timely manner and shall identify any problems encountered that may affect progress. The semi-annual progress reports shall describe all interim measures being implemented to maximize compliance with Order No. R1-2012-0101, including, but not limited to, outreach and education, special projects, O&M measures, user inspections, and monitoring. 2. Numbers in parentheses represent task numbers in the version of this Order adopted on December 6, 2012. 	
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2. The Permittee shall comply with the following interim effluent limitations for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia in the interim period established by this Order for the Permittee to reach compliance with final effluent limitations set forth in Order No. R1-2012-0101:

Interim Effluent Limitations for Discharge Point 001, Discharge to Graham's Pond

Parameter	Units	Average Monthly Effluent Limitation	Average Weekly Effluent Limitation	Maximum Daily Effluent Limitation
Biochemical Oxygen Demand (BOD ₅)	mg/L	30	45	60
	lb/day	12	18	24
Total Suspended Solids (TSS)	mg/L	50	65	80
	lb/day	20	27	33
	% removal	65% removal ¹		
Settleable Solids	mL/L	0.1	---	0.2
Total Coliform	MPN/100 mL	2.2 ²	---	23
Copper, Total Recoverable	µg/L	---	---	58
Lead, Total Recoverable	µg/L	---	---	5.5
Silver, Total Recoverable	µg/L	---	---	5.6

Parameter	Units	Average Monthly Effluent Limitation	Average Weekly Effluent Limitation	Maximum Daily Effluent Limitation
Cyanide	µg/L	---	---	9.2
Dichlorobromomethane (DCBM)	µg/L	---	---	5.75
Chlorodibromomethane (CDBM)	µg/L	---	---	1.2
Bis(2-ethylhexyl)phthalate	µg/L	---	---	5.5
Ammonia, Total as N	mg/L	---	---	24
Table Notes: <ol style="list-style-type: none"> 1. Percent removal shall be determined from the monthly average value of influent wastewater concentration in comparison to the monthly average value of effluent concentration measured over the same time period. 2. Median 				

3. In the interim period for the Permittee to achieve full compliance with Order No. R1-2012-0101, the Permittee shall operate and maintain, as efficiently as possible, all facilities and systems necessary to comply with all prohibitions, effluent limitations, and requirements identified in Order No. R1-2012-0101 or any future waste discharge requirements issued for the Facility.
4. If the Executive Officer of the Regional Water Board finds that the Permittee 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.
5. Any person aggrieved by this action of the North Coast 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://waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

CERTIFICATION

I, Matthias St. John, 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 February 8, 2018.

Matthias St. John
Executive Officer