

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
February 8, 2018
Regional Water Board Office
Santa Rosa, California

ITEM: 6

SUBJECT: Public Hearing on Order No. R1-2018-0007 Modifying Cease and Desist Order No. R1-2012-0102 for the Occidental County Sanitation District Wastewater Treatment Facility, WDID No. 1B83001OSON, NPDES No. CA0023051 (*Cathleen Goodwin*)

BOARD ACTION: The Board will consider adoption of Order No. R1-2018-0007 modifying Cease and Desist Order No. R1-2012-0102. The Order as proposed will extend the compliance date for compliance with final effluent limitations for several effluent limitations for biochemical oxygen demand (BOD₅), total suspended solids (TSS), total coliform, chlorine residual, copper, lead, silver, cyanide, dichlorobromomethane (DCBM), chlorodibromomethane (CDBM), bis(2-ethylhexyl) phthalate, ammonia, and nitrate from January 31, 2018, to July 31, 2018, and for completion of a capital improvement project to cease discharges to waters of the United States from January 31, 2018, to October 31, 2018. The revised Order also requires the Permittee to submit, by June 1, 2018, a revised Pollution Prevention Plan that includes a plan and a schedule of implementation for operational improvements that will remove wastewater pollutants that may have accumulated in Dutch Bill Creek watershed as a result of wastewater effluent discharges from the Facility and prevent accumulated pollutants from discharging to surface waters.

BACKGROUND: The Occidental County Sanitation District and the Sonoma County Water Agency (hereinafter Permittee) are currently discharging disinfected secondary municipal effluent from the Occidental County Sanitation District Wastewater Treatment Facility (hereinafter Facility) under Order No. R1-2012-0101 and National Pollutant Elimination System (NPDES) Permit No. CA0023051 (hereinafter Order No. R1-2012-0101), and Cease and Desist Order No. R1-2012-0102 (CDO), both adopted on December 6, 2012. Order No. R1-2012-0101 expired on January 31, 2018, and was administratively extended, pending cessation of the Permittee's discharge or adoption of a renewed NPDES permit by the Regional Water Board. The Permittee currently discharges disinfected secondary effluent to Graham's Pond, a 10 million gallon storage reservoir that overflows to Dutch Bill Creek, a tributary of the Russian River. Graham's Pond, Dutch Bill Creek, and the Russian River are all waters of the United States. During the dry season, effluent from Graham's Pond is utilized for pasture irrigation. The Water Quality Control Plan for the North Coast Region requires that discharges of municipal wastewater to surface waters meet advanced wastewater treatment requirements and prohibits discharges to surface waters between October 1 and May 14.

Among other requirements, Order No. R1-2012-0101 establishes final effluent limitations for technology-based effluent limitations in accordance with the Code of Federal Regulations (40 CFR) Part 133 and toxic wastewater pollutants in accordance with the California Toxics Rule and procedures set forth in the State Water Resources Control Board

(State Water Board) *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California* (State Implementation Policy or SIP).

The Permittee has been unable to consistently comply with final effluent limitations for biochemical oxygen demand (BOD₅), total suspended solids (TSS), copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia as established in Order No. R1-2012-0101. CDO Order No. R1-2012-0102 establishes interim effluent limitations and a compliance schedule for the Permittee to achieve compliance with final effluent limitations for these pollutants by January 31, 2018, by implementing a capital improvement project to achieve final effluent limitations or cease discharges. The compliance schedule required the Permittee to implement a capital improvement project to achieve compliance with final effluent limitations.

In accordance with the compliance schedule in Order No. R1-2012-0102, in February 2013, the Permittee initially submitted a conceptual plan for a capital improvement project (CIP) involving recycled water storage and irrigation on the Loades property and completed a pollution prevention plan in April 2013. In response to public concerns, the conceptual CIP was modified by early 2014 to include a proposal for trucking disinfected secondary recycled water to local agricultural sites for irrigation use and/or trucking raw wastewater to another treatment plant on a short-term basis and development of a long-term project that would include storage and irrigation at alternative agricultural sites.

By the end of 2016, the proposed project evolved to being a project to truck raw sewage from the Occidental Wastewater Treatment Facility (WWTF) to the Russian River County Sanitation District (CSD) WWTF for treatment as a longer term project. The Permittee expected this project to allow compliance with all waste discharge requirements by January 31, 2018, by ceasing discharges to surface waters. The Permittee developed a CEQA document for this project, however, the project was rejected by the Russian River CSD rate-payers in early 2017. Consequently, the Permittee's April 2017 progress report stated that the trucking proposal had been altered to change the location for trucking the raw sewage to the Airport-Larkfield-Wikiup WWTF and that additional time would be needed to complete the new environmental documents for the altered project.

On December 8, 2017, the Permittee submitted a letter to Regional Water Board 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 (MMPs). 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.

Without the proposed extension of the compliance schedule, the Permittee would be subject to MMP violations under Order No. R1-2012-0101 since the CDO required

compliance with final effluent limitations by January 31, 2018. Extending the compliance date for compliance with final effluent limitations from January 31, 2018, to July 31, 2018, would provide the Permittee with protection from MMPs until the trucking project can be fully implemented.

ISSUES: Order R1-2018-0007 proposes to modify Order No. R1-2012-0102 by extending the date for the Permittee to comply with final effluent limitations for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia as established in Order No. R1-2012-0101 from January 31, 2018, to July 31, 2018, and to complete a capital improvement project by October 31, 2018.

On January 24, 2018, Regional Water Board staff posted notice of the hearing and a copy of the proposed Modification Order No. R1-2018-0007 and revised CDO No. R1-2012-0102 on the Regional Water Board website and sent additional notices by email to interested agencies and persons. The Regional Water Board will accept oral comments and evidence on the proposed Order at the public hearing.

RECOMMENDATION: Adopt Order No. R1-2018-0007, as proposed.

SUPPORTING DOCUMENTS:

1. Proposed Order No. R1-2018-0007
2. Modified Cease and Desist Order No. R1-2012-0102 (Revised on February 8, 2018 by Modification Order No. R1-2018-0007)
3. Public Notice