

California Regional Water Quality Control Board
North Coast Region

ORDER NO. R1-2018-0007

MODIFYING CEASE AND DESIST ORDER NO. R1-2012-0102

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 and Sonoma County Water Agency (hereinafter Permittee) is 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 or NPDES permit), and Cease and Desist Order No. R1-2012-0102 (Order No. R1-2012-0102 or CDO), both adopted on December 6, 2012. Order No. R1-2012-0101 expires on January 31, 2018, and will be administratively extended, pending completion of a capital improvement project (CIP) to cease discharges to surface waters resulting in rescission of the NPDES permit, or adoption of a renewed NPDES permit by the Regional Water Board.
2. Among other requirements, Order No. R1-2012-0101 established 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, ammonia, and nitrate.
3. The Permittee has been unable to consistently comply with final effluent limitations for BOD₅, TSS, total coliform, and chlorine residual, and new final effluent limitations for copper, lead, silver, cyanide, DCBM, chlorodibromomethane CDBM, bis(2-ethylhexyl) phthalate, ammonia, and nitrate as established in Order No. R1-2012-0101. The CDO established interim effluent limitations and a compliance schedule for the Permittee to achieve compliance with final effluent limitations by January 31, 2018, by completing a CIP.

4. The Permittee has proposed three different CIPs during the term of this Order and the first two were eliminated during the California Environmental Quality Act (CEQA) process due to public opposition. The first project was construction of a new recycled water storage pond and a recycled water pipeline to allow recycling of disinfected secondary effluent on agricultural properties in the Occidental area. The second project was trucking of raw sewage to the Russian River County Sanitation District (RRCSD) Wastewater Treatment Facility for treatment and disposal.
5. On March 31, 2017, the Permittee submitted its semi-annual progress report and notified Regional Water Board 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.
6. On December 8, 2017, the Permittee submitted a letter to Regional Water Board Staff providing a late semi-annual progress report and requesting 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 permit 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.
7. The Regional Water Board 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 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 progress toward compliance with the requirement to complete a CIP to achieve compliance with the NPDES permit.
8. This Order modifies the compliance schedule in the CDO to extend the compliance date for meeting final effluent limitations for BOD₅, TSS, total coliform, and chlorine residual, and new final effluent limitations for copper, lead, silver, cyanide, DCBM, chlorodibromomethane CDBM, bis(2-ethylhexyl) phthalate, ammonia, and nitrate from January 31, 2018, to July 31, 2018, in order to provide the Permittee with

protection from MMPs until the CIP is completed and discharges to Graham's Pond is ceased.

9. Pursuant to Water Code section 13389 and section 15321 of title 14 of the California Code of Regulations, this is an enforcement action for violations and threatened violations of waste discharge requirements, and as such is exempt from the requirements of CEQA (Public Resources Code sections 21000-21177).
10. Only those conditions to be modified by this Order shall be reopened with this modification. All other aspects of the existing CDO shall remain in effect and are not subject to modification by this amendment.
11. The Regional Water Board has provided notice of the public hearing where it will consider issuance of this revised Cease and Desist Order to the Permittee, interested agencies and persons. 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.
12. 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.
13. Any person affected by this action of the Regional Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code Section 13320 and Title 23, California Code of Regulations, Section 2050. The petition must be received by the State Water Board within 30 days of the date of this Order. Copies of the law and regulations applicable to filing petitions will be provided upon request. In addition to filing a petition with the State Water Board, any person affected by this Order may request the Regional Water Board to reconsider this Order. To be timely, such request must be made within 30 days of the date of this Order. Note that even if reconsideration by the Regional Water Board is sought, filing a petition with the State Water Board within the 30-day period is necessary to preserve the petitioner's legal rights. If you choose to request reconsideration of this Order or file a petition with the State Water Board, be advised that you must comply with the Order while your request for reconsideration and/or petition is being considered.

THEREFORE, IT IS HEREBY ORDERED that pursuant to Water Code section 13301, and 13267, CDO R1-2012-0102 is modified as indicated by underline/strikeout format as follows. Note that due to the complete removal of Findings 2, 4, 10, 13, 14, 16, 17, and 18, Requirements 1, 4, and 5, and relocation of Finding 27 from the original CDO to

Requirement 5, some Findings and Requirements in the modified CDO are renumbered. Original CDO finding numbers are indicated in parentheses.

- 1. Finding 1.** *Modify first paragraph to read, "The Occidental County Sanitation District (OCS D) 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 OCS D and SCWA are collectively referred to as the Permittee¹. The Facility is designed to provide discharges secondary 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. Treatment for an average dry-weather flow of 0.05 million gallons per day (mgd) and consists of a collection system, grit chamber, lift station with overflow storage, aerated treatment pond, settling pond, chlorine disinfection, and pH adjustment."*

Moved second and third paragraphs to Finding 3 (second and third paragraphs).

- 2. Finding 2 (3).** *Modify to read: "Regional Water Board Order No. R1-2012-0101, WDRs and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0023043, WDR No. 1B831000SON is scheduled to be adopted by the Regional Water Board, concurrently with this Cease and Desist Order. Beginning on February 1, 2013, Order No. R1-2012-0102 will supersede Order No. 93-42. Order No. R1-2012-0101 includes The Permit contains discharge prohibitions, effluent and receiving water limitations, monitoring and reporting requirements, and compliance provisions, including stricter 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, ammonia, and nitrate are stricter than in Order No. 93-42."*
- 3. Finding 3 (contains rearranged information from Finding 1 of original Order).** *Modify to read: "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). 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.*

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.

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. 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. **Finding 8 (9).** *Modify finding to read:* "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."
5. **Finding 10.** *Add new finding to read:* "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."
6. **Finding 11.** *Add new finding to read:* "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 (RRCS D)

Wastewater Treatment Facility; (3) construction of a new effluent storage pond with concurrent treatment plant upgrades to allow expanded recycled water recycling, and (4) trucking of raw sewage to the RRCSD Main Lift Station.”

7. **Finding 13 (14).** *Modify to read:* “The most recent CDO, Order No. R1-2005-0085 Order No. R1-2012-0102, requires completion of a CIP by June 30, 2010 January 31, 2018. On March 31, 2017, the Permittee submitted its semi-annual progress report and notified Regional Water Board 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 needs 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 Plant. The Permittee did not comply with this CDO task. As identified in quarterly progress reports, required pursuant to Order No. R1-2005-0085, financial constraints are the primary reason for not completing a capital improvement project to achieve full compliance with WDRs.”
8. **Finding 14.** *Add new finding to read:* “On December 8, 2017, the Permittee submitted a letter to Staff providing a late semi-annual progress report and a 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 permit requirements in Order No. R1-2012-0101 will occur by July 31, 2018, and that the CIP is expected to be fully 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.”
9. **Finding 15.** *Add new finding to read:* “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.”
10. **Finding 16 (15).** *Modify to read:* “Violations of Order Nos. 93-42 and R1-2012-0101 have also been the subject of ~~three~~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 ~~an~~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 ~~\$434,000~~\$518,000 in penalties for violations of effluent limitations including BOD₅, TSS, coliform, chlorine residual, pH, and acute toxicity. ~~\$111,000~~\$145,000 of those penalties have been paid to the State Water Resources Control Board, while the difference of ~~\$323,000~~\$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, ~~installed~~installation project in the aerated treatment pond in April 2004, ~~and completed~~acollection system replacement project in 2007, and a small debris removal supplemental environmental project in the Laguna de Santa Rosa watershed in 2015.”

- 11. Finding 18 (20).** *Modify part d. to read:* “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.”

12. Finding 19 (21).

Modify first paragraph to read: “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 ~~AWT~~ effluent limitations for BOD₅, TSS, copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia because:”

Modify part b to read: “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 a CEQA document~~ and securing funding, thus the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.

~~On March 23, 2009, the Permittee submitted an Infeasibility Study report demonstrating that the Permittee is unable to comply with final effluent limitations for lead, zinc, and dichlorobromomethane. Monitoring data collected since that time has demonstrated that the Facility does not have reasonable potential for zinc, but that it does have reasonable potential for copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl)phthalate, total coliform, and ammonia. In addition, the Facility is unable to comply with final tertiary effluent limitations for BOD₅ and TSS because the Facility is designed to provide secondary treatment. On September 10, 2012, the Permittee submitted an new 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 recognizes that this is a small Facility with limited resources. ~~However~~ the Regional Water Board had already worked with the Permittee for 15 years and conveyed the expectations that the Permittee needed to work diligently toward achieving compliance in a shorter five year time frame than 10 years.~~

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 to cease discharges to Graham's Pond and nine additional months to complete the CIP and achieve full compliance with the NPDES permit."

Modify part c to read: "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."

Modify part d to read: "The compliance schedule in Requirement 2 requires the Permittee to ~~submit~~ 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 prevent accumulated pollutants from discharging to surface waters."

13. **Finding 21 (23).** *Modify to read:* "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, and obtain financing, purchase trucks, and construct a truck fill station at the Occidental Wastewater Treatment Facility and a wastewater receiving station at the ALWSZ Wastewater Treatment Facility to complete the CIP proposed project. The Permittee's biggest challenge is coming up with the financing to complete all aspects of the proposed project because the Permittee's Facility serves such a small population. The compliance schedule allows for extensions of up to an additional 5 years, if the Permittee demonstrates the need for additional time due to circumstances beyond the Permittee's control. The Regional Water Board may wish to revisit these assumptions as more information becomes available from the Permittee's evaluations."
14. **Finding 23.** *Add new finding to read:* "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."
15. **Finding 24 (25).** *Modify finding to read:* "Pursuant to ~~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 section 21000-21177) (CEQA). Section 15321 of the CEQA Guidelines provides a categorical exemption for actions by regulatory agencies to enforce a permit conditions, but does not exempt construction activities related to that enforcement. ~~The Permittee 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 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. 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, section 15061(b)(3).) The CDO extends deadlines to meet the effluent limitations in the existing WDRs/NPDES Permit, but this CDO action does not change currently existing baseline conditions. The CDO is intended to require the Permittee to achieve compliance with the NPDES requirements. I 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.”

- 16. Finding 25.** *Add new finding to read: “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.”*
- 17. Finding 26.** *Modify to read: “On ~~December 6, 2012~~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.”*
- 18. Requirement 1 (2).** *Modify table as follows:*

| Task² | Task Description | Compliance Date | Status |
|-------------------------|--|---|---------------------------------------|
| 1 | Submit to the Regional Water Board Executive Officer (hereinafter Executive Officer), conceptual design plans describing a proposed capital improvement project (CIP). | February 1, 2013 | <u>Completed for original project</u> |
| 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 | <u>Completed for original project</u> |
| 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 | <u>Completed and On-going</u> |

| Task² | Task Description | Compliance Date | Status |
|-------------------------|--|---|---|
| | | construction of CIP | |
| 4 | Submit for Executive Officer approval and implement a Pollution Prevention Plan (PPP) in accordance with Water Code section 13263. | April 1, 2013 | <u>Completed</u> |
| <u>5</u> <u>(11)</u> | <u>Submit Report of Waste Discharge to the Executive Officer.</u> | <u>March 1, 2017</u> | <u>Submitted and additional information to be submitted upon request from the Executive Officer</u> |
| <u>6</u> <u>(5)</u> | Submit to the Executive Officer, 60% design plans for the proposed CIP. | December 1, 2013 | <u>Completed for original project</u> |
| | | January 31, 2018 | <u>To be completed prior to Board Meeting</u> |
| <u>7</u> <u>(6)</u> | 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 | <u>Completed for original project</u> |
| | | <u>January 31, 2018</u> | <u>To be completed prior to Board Meeting</u> |
| 7 | Secure funding for the proposed CIP and provide the Executive Officer with documentation regarding the funding source(s). | December 1, 2015 | |
| 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. | February 1, 2016 <u>January 31, 2018</u> | <u>To be completed prior to Board Meeting</u> |
| <u>9</u> <u>(7)</u> | Secure funding for the proposed CIP and provide the Executive Officer with documentation regarding the funding source(s). | December 1, 2015 <u>February 14, 2018</u> | <u>Revised date for new project</u> |

| Task² | Task Description | Compliance Date | Status |
|---|--|---|-------------------------------------|
| <u>10</u> (9) | Award construction contract for the CIP and submit documentation to the Executive Officer. | May 1, 2016 <u>February 14, 2018</u> | <u>Revised date for new project</u> |
| <u>11</u> (10) | Commence construction of the CIP. | June 1, 2016 <u>March 31, 2018</u> | <u>Revised date for new project</u> |
| 11 | Submit Report of Waste Discharge to the Executive Officer. | March 1, 2017 | |
| <u>12</u> | <u>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 prevent accumulated pollutants from being released to surface waters.</u> | <u>June 1, 2018</u> | <u>New task</u> |
| 12 | Complete construction of the CIP. | December 1, 2017 | |
| <u>13</u> | Achieve full operation of the CIP in compliance with applicable WDRs, including effluent limitations and Basin Plan prohibitions and requirements. | January 31, 2018 <u>July 31, 2018</u> | <u>Revised date for new project</u> |
| <u>14</u> (12) | Complete construction of the CIP. | December 1, 2017 <u>October 1, 2018</u> | <u>Revised date for new project</u> |
| Table Notes: | | | |
| 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 | | | |

| Task ² | Task Description | Compliance Date | Status |
|-------------------|--|-----------------|--------|
| | 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. <u>Numbers in parentheses represent task numbers in the version of this Order adopted on December 6, 2012.</u> | | |

19. Finding 27 relocated to Requirement 5 and modified to read: “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 CWC 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.”

20. Certification statement. *Modify to read:* “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 ~~December 6, 2012~~ February 8, 2018, by Order No. R1-2018-0007.”

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