

EXECUTIVE OFFICER'S SUMMARY REPORT
9:00 a.m., Thursday, April 24, 2008
The Sons of Italy Weed Lodge No. 1269
155 Clay Street, Weed, California

ITEM: 6

SUBJECT: PUBLIC HEARING Order No. R1-2008-0018, to consider adoption of an administrative civil liability order acknowledging penalty payment and specifying an influent pump upgrade project and a compliance project to satisfy Administrative Civil Liability Complaint No. R1-2007-0061 (Complaint) issued on July 25, 2007 for violations of Waste Discharge Requirements adopted for the City of Crescent City.

DISCUSSION

On July 25, 2007, Administrative Civil Liability Complaint No. R1-2007-0061 was issued to the City of Crescent City. The complaint proposed a civil liability of \$125,000 for violations of Waste Discharge Requirements (WDRs) and the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Order No. 2006-0003-DWQ.

Issuance of the Complaint was the result of discharges of treated municipal wastewater effluent in violation of effluent limitations contained in WDRs, of treated disinfected effluent at an unpermitted discharge location and of untreated domestic wastewater from the City's collection system during the period from January 1, 2000 through May 31, 2007.

In response to the Complaint, the City waived its right to a public hearing, proposed to pay \$30,500 to the State Water Pollution Cleanup and Abatement Account, and proposed an influent pump upgrade project and a Compliance Project to cover the remaining \$94,500. The proposed influent pump upgrade project will significantly improve the pumping capacity and reliability of the headworks to the Wastewater Treatment Facility (WWTF). The proposed Compliance Project will upgrade the WWTF's disinfection process from chlorine disinfection to ultraviolet light (UV) disinfection.

In response to Cease and Desist Order No. 97-17 and all of the subsequent revisions, the City has been working down a path to upgrade its WWTF, which is

twenty-eight years old. Currently, the complete WWTF upgrade is estimated to cost \$37,739,453. The City has received Proposition 50 grant funding approval for \$900,000, California Block Development Grant funding approval for just over \$1,000,000 and a State Revolving Fund Loan for \$43,000,000 that will be paid back with increased sewer rates and connection fees. This WWTF upgrade is the most comprehensive solution to eliminate mandatory minimum penalties and to comply with the Basin Plan.

In August 2007, the City notified Regional Water Board staff of its intent to apply the penalties toward this project because all of the City's funds and efforts were being directed to this upgrade. Due to the ambitious nature of this project, the financial position of the City and the relevance of this upgrade to the violations, Regional Water Board staff supports the City's proposal to use the suspended penalties toward this upgrade.

The proposed order acknowledges the City's payment of \$30,500 to the Cleanup and Abatement Account and contains a time schedule for the influent pump upgrade project and the Compliance Project. All work associated with the Compliance Project will be completed by December 31, 2008, which includes construction and installation of the UV disinfection building and process. All work associated with the influent pump upgrade project will be completed by August 14, 2009, which includes remodeling the headworks and installing two of five higher capacity pumps.

The City concurs with the time schedule contained in the proposed order.

Preliminary Staff Recommendation:
Adopt Order No. R1-2008-0018 as proposed.