

California North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
(707) 576-2220

Notice of Public Hearing
Of
Proposed Cease and Desist Order No. R1-2016-0012
For
City of Eureka
Elk River Wastewater Treatment Plant
NPDES NO. CA0024449
WDID NO. 1B82151OHUM
Humboldt County

City of Eureka, Elk River Wastewater Treatment Plant (WWTP) is proposed for regulation by draft Waste Discharge Requirements, Order No. R1-2016-0001, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0024449, WDID No. 1B82151OHUM, for consideration by the Regional Water Board on June 16, 2016. The City will be unable to comply with all requirements contained in the proposed NPDES permit. Tentative Cease and Desist Order No. R1-2016-0012 provides a list of tasks and associated schedule of deadlines to achieve full compliance.

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, North Coast Region, proposes to adopt Cease and Desist Order No. R1-2016-0012 for the Elk River WWTP on June 16, 2016, for violations and threatened violations of Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit Order No. R1-2016-0001.

The Regional Water Board will consider the tasks and the associated schedule required under Order No. R1-2016-0012. The proposed schedule would result in ultimate compliance with provisions of Waste Discharge Requirements Order No. R1-2016-0001, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0024449.

This item will be open for public comment between March 2, 2016, and April 4, 2016.

Public Hearing Procedures

A public hearing to consider comments and objections to the proposed permit is scheduled for June 16, 2016, at 8:30 a.m., in Santa Rosa, California, or as announced in the Regional Water Board's agenda. The meeting will be held at the Regional Water Board offices, 5550 Skylane Blvd., Suite A, Santa Rosa, California. Please be aware that dates and venues may change. Our Web address is <http://www.waterboards.ca.gov/northcoast> where you can access the current agenda for changes in dates and locations. At the public hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed cease and desist order.

In order for the Regional Water Board to consider any evidentiary material concerning this hearing, any documents, including written technical reports and other evidentiary material must be submitted to northcoast@waterboards.ca.gov no later than 5:00 p.m., on April 4, 2016. All documents that are received timely will be distributed to the Regional Water Board members and interested persons. These records will also become a permanent part of the administrative record for this public hearing.

Except at the discretion of the Regional Water Board Chair, written material received after the above date will not be accepted. If the Chair chooses to accept late written material, that material will not be incorporated into the administrative record if doing so would prejudice the Permittee or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, title 23, sections 648.1 and 648.4).

All those who plan to testify at this hearing must submit written statements to the Regional Water Board no later than April 4, 2016. The statements should provide the name of the witness, his or her qualifications (if an expert), and the scope of his or her intended testimony. The time limit for oral testimony or comments will be set by the Regional Water Board Chair and are subject to change. These time limits normally allow no more than 10 minutes each for Regional Water Board staff and Permittee. All speakers are expected to honor these time limits. Other interested persons may also provide testimony at this public hearing. However, any testimony given by someone other than staff or the Permittee may be limited to 3 minutes and may only be given under the limited scope of summarizing or explaining any timely-submitted or late-accepted written evidence. No new evidence will be allowed to be presented at this public hearing. In an effort to be fair to all people who wish to testify at this public hearing, the Regional Water Board Chair may choose to use a timer to ensure that individuals stay within the time limits set by the Chair. The Chair also requests that in order to avoid unnecessary repetitive testimony, that one spokesperson be selected to speak on behalf of many individuals when those individuals share a common affiliation or interest.

Document Review

The tentative Order, related documents, and comments, received by the Regional Water Board will be on file and may be inspected or copied at the Regional Water Board's office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.

Matthias St. John
Executive Officer

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