

**California Regional Water Quality Control Board
North Coast Region**

Order No. R1-2017-0038

**Rescission of National Pollutant Discharge Elimination System Order No.
R1-2013-0029, and Cease and Desist Order No. R1-2013-0030**

for the

**CITY OF TULELAKE
WASTEWATER TREATMENT FACILITY**

**NPDES Permit No. CA0023272
WDID No. 1A84002OSIS**

Siskiyou County

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

1. The City of Tulelake (Permittee) owns the Tulelake Wastewater Treatment Facility (Facility), a publicly owned treatment works (POTW). The Facility is designed to provide secondary wastewater treatment for an average dry weather flow of 0.16 million gallons per day (mgd) and consists of a collection system, comminutor and bar screen within the headworks, aerated treatment ponds, sand filters, chlorine disinfection, and dechlorination. Treated, disinfected, dechlorinated effluent is discharged to the Tulelake Irrigation District Drain No. 44-B-1, a tributary of the Tule Lake Sump, Tule Lake Refuge, and Lower Lost River.
2. On August 26, 1999, the Regional Water Board adopted Waste Discharge Requirements (WDR), Order No. 99-62, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0023272 (1999 NPDES Permit) for the Permittee.
3. On October 6, 2004, the Regional Water Board adopted WDR Order No. R1-2004-0075, NPDES Permit No. CA0023272 (2004 NPDES Permit) for the Permittee.
4. On October 6, 2004, the Regional Water Board adopted Cease and Desist Order (CDO) No. R1-2004-0074 (2004 CDO), requiring the Permittee to cease and desist discharging untreated or partially treated waste to TID Drain No. 44-B-1 in violation of the 2004 NPDES permit discharge prohibitions and numerous effluent limitations. The 2004 CDO required the Permittee to implement a long-term solution to achieve compliance with the 2004 NPDES Permit by completing a capital improvement project (CIP) no later than October 1, 2009. The Permittee failed to complete the CIP by the required deadline due to challenges in securing project financing.

5. On July 25, 2007, the Regional Water Board issued an Administrative Civil Liability (ACL) Order No. R1-2007-0045 to the Permittee assessing a penalty of \$495,000 for 169 effluent limitation violations that occurred from January 1, 2000, through April 30, 2006. The causes of the violations were primarily related to insufficient operation, maintenance, and treatment, and inadequate dechlorination. The ACL Order included another time schedule with dates extended beyond those required by CDO No. R1-2004-0074, including new milestones, and conditionally offset \$488,000 of the penalty to complete a compliance project as allowed under Water Code section 13385(k)(1) of the Water Code if the Permittee meets the task schedule requirements contained in the ACL Order and if the Executive Officer determines that the Permittee completes the compliance project satisfactorily. On August 2, 2007, the Permittee paid \$7,000 to the State Water Resources Control Board (State Water Board) as required by the ACL Order.
6. On June 7, 2012, the Permittee entered into a conditional grant funding agreement with the State Water Board's State Revolving Fund in the amount of \$3,794,350 for the planning, design, and construction of a new agronomic reuse disposal project to eliminate discharges to surface waters by reusing wastewater on land to grow crops. Specifically, the CIP includes Facility upgrades for replacing failed headworks and disinfection tank components, removal of accumulated sludge, replacement of diffusers in the aerated lagoons, converting the sand filter basin to a treatment wetland, and adding a pumping station to pump disinfected effluent to a new 40-acre disposal wetland. The CIP also included replacing 2,500 feet of gravity sewer line and upgrading two collection system lift stations. July 25, 2014, the State Water Board amended the financing agreement (No. 12-801-550) providing a \$2,205,650 grant increase to a total grant amount of \$6,000,000 and a term extension through March 31, 2037.
7. On June 13, 2013, the Regional Water Board adopted WDR Order No. R1-2013-0029, NPDES Permit No. CA0023272 (2013 NPDES Permit) for the Permittee.
8. On June 13, 2013, the Regional Water Board adopted Cease and Desist Order (CDO) No. R1-2013-0030 (2013 CDO), requiring the Permittee to cease and desist from discharging untreated or partially treated waste to Tululake Irrigation District (TID) Drain No. 44-B-1, a tributary to Tule Lake, in violation of 2013 NPDES Permit discharge prohibitions III. B and III.D and final effluent limitations for Total Coliform, Total Chlorine Residual, Total Arsenic, Total Copper, Total Cyanide, Dichlorobromomethane, Bis (2-Ethylhexyl) phthalate, Total Ammonia, Dissolved Organic Nitrogen, Carbonaceous Biochemical Oxygen Demand (CBOD), pH and acute toxicity.

The 2013 CDO replaced the 2004 CDO.

9. On July 2, 2014, the Permittee submitted a Report of Waste Discharge (ROWD) applying for waste discharge requirements to recycle up to 0.18 mgd of treated wastewater from the City of Tulelake Wastewater Treatment Facility to irrigate crops on land owned by the Permittee.
10. On March 12, 2015, Regional Water Board adopted non-NPDES Waste Discharge Requirements (WDR) Order No. R1-2015-0002. The Order requires Facility upgrades that includes rehabilitating the headworks with new influent pumps; converting the sand filter into a treatment lagoon (No. 3); dredging lagoon No. 1 and lining lagoons 1 and 3 with synthetic liners; constructing two irrigation storage ponds with an irrigation pump station; and developing a recycled water irrigation field.

The 2015 Order contains effluent limitations, discharge prohibitions, recycled water specifications, groundwater limitations and a corresponding Monitoring and Reporting Plan for the upgraded Facility.

11. On November 2, 2016, the Permittee notified the Regional Water Board that the upgraded Facility was online and discharging effluent to the new storage ponds in compliance with requirements in Title 22, Chapter 3, Article 3, section 60304, *Use of Recycled Water for Irrigation*. With rehabilitation of the headworks and treatment lagoons, conversion of the sand filter and activation of the two new irrigation storage ponds with an irrigation pump station and a recycled water irrigation field, the Permittee is currently operating under the requirements of WDR Order No. R1-2015-0002, and therefore, NPDES Order No. R1-2013-0029 and Cease and Desist Order No. R1-2013-0030 are no longer needed. With the activation of the new upgraded facility, the Permittee has completed all tasks in the CDO and the CDO is no longer required.
12. Documentation submitted by the Permittee confirms that actions necessary to achieve full operation of the CIP in compliance with applicable WDRs, including effluent limitations and Basin Plan prohibitions and requirements have been completed.
13. Regional Water Board action to rescind NPDES Order No. R1-2013-0029 and Cease and Desist Order No. R1-2013-0030 are exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with Title 14, California Code of Regulations, Sections 15061(b)(3) and 15301.

THEREFORE, IT IS HEREBY ORDERED that NPDES Order No. R1-2013-0029 and Cease and Desist Order No. R1-2013-0030 are rescinded.

Ordered by _____
Matthias St. John
Executive Officer