

Regional Water Quality Control Board  
North Coast Region

Executive Officer's Summary Report  
December 19, 2019  
Regional Water Board Office  
Santa Rosa, California

**ITEM: 4**

**SUBJECT:** Public Hearing on Amendment Order No. R1-2019-0054 to extend deadlines in Cease and Desist Order R1-2015-0008, for Loleta Community Services District, WDID No. 1B80081OHUM (Justin McSmith)

**BOARD ACTION:** The Board will consider adoption of Amendment Order No. R1-2019-0054 (Amendment Order). This Order will extend the compliance dates for the final two tasks in Cease and Desist Order No. R1-2015-0008.

**BACKGROUND:** The Loleta Community Services District (Permittee) is the owner and operator of the Loleta Wastewater Treatment Facility (Facility), a publicly owned treatment works. The Facility serves a population of approximately 750 residential and four commercial users including the Loleta Cheese Factory, a laundromat, a small deli, and a brewery. The Facility is located in Loleta, which is approximately 13 miles south of Eureka in Humboldt County.

The Facility has an average dry weather design treatment capacity of 0.081 mgd and an average wet weather treatment capacity of 0.143 mgd. The treatment system consists of a headworks with a manual coarse screen, a 78,000-gallon concrete aeration basin, a 43,000-gallon secondary clarifier, a chlorine contact chamber, and chlorine gas and sulfur dioxide flow-proportioning equipment. Effluent is discharged, via a subsurface pipe at Discharge Point 001, to a wetland located approximately 0.66 miles southwest and downgradient from the Facility. The wetland is tributary to Ropers Slough, a slough that discharges directly to the Eel River during wet weather conditions.

The Facility is currently regulated under Waste Discharge Requirements (WDRs) contained in Order No. R1-2014-0013 (2014 Permit), adopted by the Regional Water Board on May 8, 2014. The 2014 Permit also serves as the National Pollutant Discharge Elimination System (NPDES) permit. On March 12, 2015, the Board issued Cease and Desist Order No. R1-2015-0008 (2015 CDO) requiring the Permittee to complete specific tasks to achieve compliance with discharge prohibitions and final effluent limitations in the 2014 Permit for copper, carbon tetrachloride, chlorodibromomethane, dichlorobromomethane, and nitrate.

**DISCUSSION:** The 2015 CDO required the Permittee to complete the following tasks:

- a) Implement a pollution minimization program and source control measures,
- b) Develop a Facilities Plan to identify a Preferred Alternative to treat the pollutants listed above,
- c) Submit a preliminary Report of Waste Discharge (ROWD),
- d) Complete a sanitary sewer evaluation survey to identify collection system deficiencies,
- e) Submit an Environmental Impact Report or documentation necessary to complete the California Environmental Quality Act (process),
- f) Submit a progress report indicating progress and anticipated completion dates for funding, agency permits and acquisition of land,
- g) Secure funding for the Preferred Alternative,
- h) Acquire a long-term lease for land necessary for recycled water application,
- i) Develop and submit design plans for a Preferred Alternative to upgrade the current Facility, and
- j) Construct the Preferred Alternative and fully comply with final effluent limitations and discharge prohibitions in the 2014 Permit.

The Permittee completed tasks (a) through (h) listed above on time, during the term of the 2015 CDO.

On April 5, 2018, the Permittee submitted a request for an extension of tasks (i) and (j) of the 2015 CDO for final compliance with Discharge Prohibition III.I and final effluent limitations of the 2014 Permit. The extension was requested to modify the deadlines for task (i) from April 1, 2018 to January 1, 2020 and task (j) from December 31, 2019 to December 31, 2021.

The Permittee requested the extension due to unforeseen setbacks in securing a summertime location to apply recycled water to meet the summertime discharge prohibition set forth in the 2014 Permit. The Permittee has since been successful in obtaining a 10-year lease with a landowner to use the property as the Recycled Water Use Site. However, the delay in gaining the long-term lease affected the Permittee's ability to move forward with necessary permit applications and securing of grant funding necessary to complete the facility improvements identified in the Preferred Alternative per the original schedule specified in the 2015 CDO.

This Amendment Order modifies the final compliance dates of Tasks (i) and (j) of the 2015 CDO, which will provide protection from mandatory minimum penalties so long as interim effluent limitations are met. The 2015 CDO is to be proposed for rescission at the February 2020 Regional Water Board meeting along with adoption of a new facility NPDES Permit and issuance of a new accompanying Time Schedule Order.

This Amendment Order supersedes only the tasks and final compliance dates specified in Tasks (i) and (j) of the 2015 CDO. This Order incorporates all findings, determinations, and additional requirements established in the 2015 CDO.

**RECOMMENDATIONS:** Adopt Amendment Order No. R1-2019-0054, as proposed.

**SUPPORTING DOCUMENTS:** 1) Proposed Amendment Order No. R1-2019-0054  
2) Cease and Desist Order No. R1-2015-0008