

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

Public Notice No. CA0022721

NOTICE OF PUBLIC HEARING

TO

CONSIDER ADOPTION OF
ORDER NO. R1-2005-0087

REVISING
CEASE AND DESIST ORDER NO. R1-2003-0049

FOR

THE CITY OF FERNDALE
WASTEWATER TREATMENT FACILITY

Humboldt County

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, North Coast Region, (Regional Water Board) proposes to revise Cease and Desist Order No. R1-2003-0049, issued to the City of Ferndale on May 15, 2003 for violations and threatened violations of Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit Order No. R1-2000-0092.

The Regional Water Board will consider extension of compliance deadlines in order R1-2003-0049. In addition, the Regional Water Board will consider prohibition of new connections to the wastewater treatment facility from new residential, commercial, industrial, and/or governmental connections until such time that it can be demonstrated to the satisfaction of the Regional Water Board that such connections will not result in additional violations of waste discharge requirements.

The connection restrictions in CDO Order No. R1-2005-0087 will take effect immediately upon adoption by the Regional Water Board. Until further notice, no structure requiring a building permit may connect to the WWTF unless the permit is approved prior to the time and date this notice is received by the City of Ferndale. Limited exceptions apply as described in draft CDO Order No. R1-2005-0087.

A public hearing to consider comments and objections to the proposed order has been scheduled for October 12, 2005, at 9:00 a.m. or as soon thereafter as practicable. The hearing will be held in the Regional Water Quality Control Board Hearing Room, located at 5550 Skylane Blvd., Suite A, Santa Rosa, California.

Interested persons should submit to the Regional Water Board office at 5550 Skylane Boulevard, Suite A, Santa Rosa, California, 95403 written copies of all technical reports, testimony, and other evidentiary material concerning this issue by 5:00 p.m. on September 18, 2005. Written material received by the September 18 deadline will be submitted to the Regional Water Board members and all interested persons along with the full agenda materials.

Written material received after the above date will not be accepted except at the discretion of the Regional Water Board Chair. Untimely written material will not be accepted or incorporated into the administrative record if doing so would prejudice a party. 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 interested persons may speak at the hearing for this item. The time constraints for oral testimony or comments will be set by Regional Water Board Chair and usually allow no more than 10 minutes for each party and three minutes for other interested persons. A timer may be used and speakers are expected to honor the time limits. Where speakers can be grouped by affiliation or interest, such groups will be expected to select a spokesperson and not be repetitive.

Persons submitting written testimony and documentary evidence should be present at the hearing and available for cross-examination. Testimony at the hearing should be limited to a summary of the written evidence and testimony, provided, however, upon a proper showing that evidence is available which was not available at the time the written testimony was submitted, the Regional Water Board may allow further submission of oral or written testimony.

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

<http://www.waterboards.ca.gov/northcoast/agenda/pending.html>

Catherine E. Kuhlman
Executive Officer

August 18, 2005