

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

Notice of Public Hearing

Order No. R1-2012-0006

For

Rescission of Cease and Desist Order No. R1-2007-0015

for

Fort Bragg Municipal Improvement District No.1 Wastewater Treatment Facility
WDID No. 1B84083OMEN

Mendocino County

The California Regional Water Quality Control Board, North Coast Region, proposes to rescind Cease and Desist Order No. R1-2007-0015 for Fort Bragg Improvement District No.1 Wastewater Treatment Facility (WWTF).

The Fort Bragg Municipal Improvement District No. (hereinafter the District) is currently discharging pursuant to Waste Discharge Requirements Order No. R1-2009-0030 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0023078. The District owns a wastewater collection, treatment, and disposal facility with a design average dry weather treatment capacity of 1.0 million gallons per day for treating domestic, commercial, and industrial wastewater.

On April 26, 2007, the Regional Water Board issued Cease and Desist Order No. R1-2007-0015 to the District for the threatened discharge of untreated wastewater from the Pudding Creek Force Main into Pudding Creek, a water of the State, in violation of the District's waste discharge requirements and the Basin Plan. The Order contained requirements to investigate, design, and implement permanent facility upgrades to the Pudding Creek Force Main. The Order contained a final compliance date of October 1, 2009.

To abate the threatened discharge, the District proposed a project to replace the Pudding Creek Force Main with a new 10-inch force main and relocate the exposed section of the force main running under Pudding Creek to the roadway on the Highway One bridge that spans Pudding Creek. A Notice of Completion was accepted by the Fort Bragg City Council at a public meeting on January 12, 2009.

The Regional Water Board has determined that the District has complied with the requirements of Cease and Desist Order No. R1-2009-0015 and intends to consider adopting the draft rescission order during a meeting to commence at the time and location as follows:

Time and Date:	8:00 a.m., January 18-19, 2012
Location:	Regional Water Board Office David C. Joseph Room 5550 Skylane Boulevard, Suite A Santa Rosa, CA

The deadline for comment is 5:00 p.m. on December 1, 2011. Comments must be sent to the **attention of Charles Reed**. Persons wishing to file written comments on or objections to, the draft order must do so no later than this deadline in order for staff to have time to consider and respond to such comments. The Water Board will hear oral testimony, but will not accept written comments after the deadline noted above. The Chair may refuse to admit evidence, comments, or testimony that does not summarize timely submitted comments if this deadline is not met, and shall refuse to do so where there is a showing of prejudice to any party or the Board. Any person submitting late comments or other evidence must explain why such materials were not submitted by the deadline. The Chair of the North Coast Regional Water Board will rule on late submittals at or before the hearing. Late submittals that consist of evidence (as opposed to policy statements or comments) are generally prejudicial unless all parties and the Regional Water Board staff have time to consider the evidence before the hearing. Interested persons are invited to attend and express their views at the public hearing on this matter. Oral comments should summarize timely-submitted comments or late-submitted comments that have been accepted by the Chair. The Chair of the North Coast Regional Water Board will impose time limits on oral comments.

The procedures governing Regional Water Board meetings may be found at sections 647 et seq. and 648 et seq. of Title 23 of the California Code of Regulations, and are available upon request.

All issues raised in petitions brought to the State Water Resources Control Board pursuant to California Water Code section 13320 must be raised in the proceedings before the Regional Water Board. Pursuant to section 2050(c) of Title 23 of the California Code of Regulations, if the action or inaction that is the subject of the petition was taken by the regional board after notice and opportunity to comment, the petition will be limited to those substantive issues or objections that were raised before the Regional Water Board at the public hearing or in timely submitted written correspondence delivered to the Regional Water Board.

Document Review

The draft 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. The draft Order and any additional information and developments on this matter are also available at www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders. A response to comments will be posted on that website one week prior to the hearing. Contact Charles Reed at (707) 576-2752, or by e-mail at creed@waterboards.ca.gov if you have any questions on this matter.

Catherine Kuhlman
Executive Officer

November 15, 2011