

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**MEETING OF JANUARY 8-9, 2014  
BARSTOW**

**ITEM:** 13

**SUBJECT:** PUBLIC HEARING – CONSIDERATION OF RESCINDING  
CEASE AND DESIST ORDER NO. R6V-2007-24 AND  
CEASE AND DESIST ORDER NO. R6V-2011-15A1 ISSUED  
TO THE ADELANTO PUBLIC UTILITY AUTHORITY,  
ADELANTO, SAN BERNARDINO COUNTY - WDWID  
NO. 6B369805001

**CHRONOLOGY:**

August 29, 2007	Cease and Desist Order No. R6V-2007-24 adopted
March 10, 2011	Cease and Desist Order No. R6V-2011-15 adopted
May 11, 2011	Cease and Desist Order No. R6V-2011-15A1 adopted; Cease and Desist Order No. R6V-2011-0015 rescinded

**ISSUE:** Has the Adelanto Public Utility Authority complied with the requirements of the above-noted enforcement orders?

**DISCUSSION:** The Adelanto Public Utility Authority (APUA) owns and operates wastewater collection, treatment, and disposal facilities within the City of Adelanto. The facilities were previously permitted by two separate permits to receive and treat raw sewage flows. Water Board Order No. R6V-2002-050 regulated an activated sludge system authorized to receive and treat up to 1.5 million gallons per 24-hour period and a maximum instantaneous flow rate of 2.5 million gallons per day (mgd). Water Board Order No. R6V-2009-0036 regulated a proposed sand filter biological treatment system authorized to receive and treat up to 4.0 million gallons per 24-hour period and a maximum instantaneous flow rate of 6.0 mgd.

The Cease and Desist Orders were issued in response to continual influent flow limitation violations, BOD effluent limitation violations, discharges of waste to an unauthorized disposal site, violations of pond freeboard requirements, and continued threatened violations. The Orders cited the cause of the violations as the influent flow consistently exceeding the

plant's maximum daily flow capacity of 1.5 mgd since February 2004. The Orders required APUA to submit and implement a disposal facilities work plan, and to complete facility upgrades to return the APUA's wastewater treatment and disposal facilities to compliance with waste discharge requirements.

APUA submitted a Report of Waste Discharge on August 17, 2012, for upgraded treatment and disposal facilities to adequately treat and dispose of all existing flows and additional flows projected through at least 2016. The APUA constructed the necessary facility upgrades. APUA's prior facility permits were rescinded and replaced by Water Board Order No. R6V-2013-0058, adopted on July 17, 2013. Water Board Order No. R6V-2013-0058 prescribes waste discharge requirements for an upgraded facility authorized to receive and treat up to 4.0 million gallons per 24-hour period and a maximum instantaneous flow rate of 6.0 mgd. APUA is operating the upgraded wastewater treatment facility in compliance with the new waste discharge requirements.

As of December 23, 2013, no comments have been received regarding the Proposed Rescission Order.

**RECOMMENDATIONS:** Adopt the proposed Order rescinding Cease and Desist Order Nos. R6V-2007-24 and R6V-2011-15A1.

<b>ENCLOSURE</b>	<b>Item</b>	<b>Bates Number</b>
1	Proposed Rescission Order	<b>13-5</b>

# **ENCLOSURE 1**

This page is intentionally left blank.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**BOARD ORDER NO. R6V-2014-(PROPOSED)**

**RESCISSION OF  
CEASE AND DESIST ORDER NO. R6V-2007-24 AND  
CEASE AND DESIST ORDER NO. R6V-2011-15A1**

**FOR**

**ADELANTO PUBLIC UTILITY AUTHORITY  
ADELANTO DOMESTIC WASTEWATER TREATMENT FACILITY AND  
ADELANTO WASTEWATER TREATMENT PLANT  
WDID NO. 6B369805001**

San Bernardino County

---

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. Discharger

The Adelanto Public Utility Authority (hereinafter referred to as “Discharger”) owns and operates wastewater collection, treatment, and disposal facilities within the City of Adelanto. The Discharger’s wastewater treatment facility is currently permitted to discharge up to 4.0 million gallons per day (mgd) of treated wastewater.

2. Facilities and Permit History

The Discharger had two wastewater treatment facilities that were each permitted separately:

- a. The Adelanto Domestic Wastewater Treatment Facility was regulated by waste discharge requirements prescribed by Water Board Order No. R6V-2002-050. The activated sludge system was authorized to receive and treat up to 1.5 million gallons per 24-hour period and a maximum instantaneous flow rate of 2.5 million gallons per day (mgd).
- b. The Adelanto Wastewater Treatment Plant was regulated by waste discharge requirements prescribed by Water Board Order No. R6V-2009-0036. The proposed sand filter biological treatment system was authorized to receive and treat up to 4.0 million gallons per 24-hour period and a maximum instantaneous flow rate of 6.0 mgd. This system never became operational under Water Board Order No. R6V-2009-0036.

Water Board Order Nos. R6V-2002-050 and R6V-2009-0036 were rescinded and replaced by Water Board Order No. R6V-2013-0058, adopted on July 17, 2013. The new Board Order prescribes waste discharge requirements for an upgraded and expanded facility authorized to receive and treat up to 4.0 million gallons per 24-hour period and a maximum instantaneous flow rate of 6.0 mgd. This facility is now operational.

3. Formal Enforcement History

- a. **2007 Cease and Desist Order:** The Water Board adopted Cease and Desist Order No. R6V-2007-24 on August 29, 2007, in response to continual influent flow limitation violations, Biochemical Oxygen Demand (BOD) effluent limitation violations, and discharges of waste to an unauthorized disposal site. Cease and Desist Order No. R6V-2007-24 established compliance dates for submitting and implementing an Interim Action Plan to reduce BOD concentrations, submitting a Long Term Action Plan to expand the Facility to provide adequate wastewater treatment, storage, and disposal capacity, and to comply with Water Board Order No. R6V-2002-050 by December 31, 2008.
- b. **2010 Investigative Order:** The Water Board adopted Investigative Order No. R6V-2010-0035 on August 2, 2010 in response to continuing violations of the influent flow and BOD effluent limitations and continuing violation of the final compliance date (December 31, 2008) specified by Cease and Desist Order No. R6V-2007-24.
- c. **2010 Cleanup and Abatement Order:** The Water Board adopted Cleanup and Abatement Order No. R6V-2010-0054 on November 1, 2010 to address violations of percolation pond freeboard requirements specified Water Board Order Nos. R6V-2002-050 and R6V-2009-0036 that were increasing in severity and frequency.
- d. **2011 Cease and Desist Order:** The Water Board adopted Cease and Desist Order No. R6V-2011-15 on March 10, 2011 in response to continuing violations of influent flow limitations, BOD effluent limitations, pond freeboard requirements, authorized disposal site requirement violations, in addition to unauthorized waste discharges and continued threatened violations. The Order established compliance dates for submitting a disposal facilities work plan, submitting an implementation schedule for the work plan, and completing facility upgrades. The Order also continued the public hearing regarding a proposed connection ban until the Water Board's May, 2011 meeting.
- e. At its May 11, 2011, meeting, the Water Board adopted Cease and Desist Order No. R6V-2011-15A1. The amended Order rescinded Cease and Desist Order R6V-2011-15, but maintained and affirmed the compliance dates required by the original Order. The amended Order also established reporting requirements for tracking flow diversions to Victor Valley Wastewater Reclamation Authority's wastewater reclamation facility, as well as progress towards implementing treatment and disposal facility upgrades. The Water Board reserved its right to issue a connection ban at a future meeting and have the ban be retroactive to May 11, 2011.

4. Basis for Rescission

- a. The Discharger submitted a Report of Waste Discharge on August 17, 2012, for an upgraded facility to adequately treat and dispose of all existing flows and additional flows projected through at least 2016. The Discharger constructed the necessary facility upgrades and is operating the upgraded wastewater treatment facility in compliance with the waste discharge requirements prescribed by Water Board Order No. R6V-2013-0058.

- b. This Order rescinds Cease and Desist Order Nos. R6V-2007-24 and R6V-2011-15A1. The Discharger has complied with all conditions prescribed in those Orders by constructing and operating the upgraded Adelanto Domestic Wastewater Treatment Facility in compliance with the waste discharge requirements prescribed by Water Board Order No. R6V-2013-0058.

5. Conclusion

It is in the public interest to rescind Cease and Desist Order Nos. R6V-2007-24 and R6V-2011-15A1, as the Discharger upgraded and expanded its facility to receive and treat up to 4.0 million gallons per 24-hour period (maximum instantaneous flow rate of 6.0 mgd) and is complying with its updated waste discharge requirements prescribed by Water Board Order No. R6V-2013-0058.

6. California Environmental Quality Act

Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with title 14, California Code of Regulations, section 15321. This Order does not require the Discharger to engage in any activity that may significantly alter the environment.

7. Notification of Interested Parties

The Water Board has notified the Discharger and interested persons of its intent to rescind Cease and Desist Order Nos. R6V-2007-24 and R6V-2011-15A1.

8. Public Meeting

The Water Board in a public hearing heard and considered all comments pertaining to this Rescission Order.

IT IS HEREBY ORDERED that Cease and Desist Order Nos. R6V-2007-24 and R6V-2011-15A1 are hereby rescinded.

I, Patty Z. Kouyoumdjian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on January 9, 2014.

---

PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER