

ORDER REQUIRING THE VALLEY COMMUNITY SERVICES DISTRICT
TO CEASE AND DESIST FROM DISCHARGING WASTES CONTRARY TO
REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL
WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION

ORDER NO. 71-67

The California Regional Water Quality Control Board, San Francisco Bay Region
finds:

- A. On November 4, 1970, this regional board adopted Order No. 70-89 prescribing discharge requirements and a compliance time schedule covering the discharge of Valley Community Services District from its sewage treatment plant and on January 28, 1971 adopted Order No. 71-3 prescribing a long-term compliance time schedule.
- B. The discharge requirements and compliance time schedule provide, in part, as follows:
1. "The treatment or disposal of waste shall not create a nuisance as defined in Section 13050(m) of the California Water Code."
 2. "The discharge shall not:
 - a. Unreasonably affect any of the protected beneficial water uses resulting from:

Floating, suspended, or deposited macroscopic particulate matter or foam, in waters of the State at any place;"

.
 3. "Settleable matter

The arithmetic average of any six or more samples collected on any day	0.5 ml/l/hr, maximum
80% of all individual samples collected during maximum daily flow over any 30-day period	0.4 ml/l/hr, maximum
Any sample	1.0 ml/l/hr, maximum"
.	

4. "For 24-hour composite samples collected one day each week throughout the year and made up of portions collected at hourly intervals in proportion to rate of flow at time of collection:

Suspended solids

The waste as discharged, or at some point in the treatment process, shall meet quality requirements equivalent to those which would result from conformance with Section 8047 of Title 17, California Administrative Code."

5. "The waste as discharged, or at some point in the treatment process, shall be adequately disinfected, and for the purpose of this Resolution, adequate disinfection shall mean any disinfection which produces a moving median coliform MPN value not exceeding 2.2 per 100 milliliters at some point in the treatment process, providing that moving median value shall be determined from:

1. Consecutive results obtained from samples collected on the previous seven sampling days, and
2. Samples shall be collected at a frequency of at least seven days each week, and
3. Samples shall be collected during those periods when the coliform MPN has been demonstrated to be at its daily maximum."

6. "The Valley Community Services District, the Cities of Livermore and Pleasanton and the Alameda County Flood Control and Water Conservation District - Zone 7, shall submit by April 15, 1971, a schedule and description of a study which shall be the basis for a comprehensive water quality management program for the Alameda Creek System above Niles which is necessary to achieve the above and which is acceptable to this Board.

This Regional Board hereby prohibits waste discharges by the Valley Community Services District to Alamo Canal or any other tributary of Alameda Creek above Niles in excess of:

2.5 million gallons per day average dry weather flow for any calendar month until the Valley Community Services District has provided facilities capable of meeting the requirements of Resolution No. 70-89.

3.2 million gallons per day average dry weather flow for any calendar month until a program and time schedule as above is submitted.

4.0 million gallons per day average dry weather flow for any calendar month until the above-described program has been implemented."

- C. Inspection by Board staff and data submitted by the discharger indicate that the discharger is violating the requirements for: odor nuisance, effluent disinfection, effluent settleable matter and suspended solids, receiving water floating matter and excessive flow.
- D. By letter dated September 7, 1971 the regional board notified the discharger of violations of requirements and requested immediate action to eliminate such violations.
- E. On October 26, 1971, after due notice to the discharger and all other affected persons, a hearing panel of the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- F. Upon the basis of the evidence received, the hearing panel recommended that the board issue a cease and desist order against the discharger requiring that it comply with the aforesaid requirements in accordance with the time schedule below.
- G. The discharger is violating the requirements listed in "B" above.
- H. Any increase in the discharge of waste will further unreasonably impair water quality.

IT IS HEREBY ORDERED THAT

- A. The Valley Community Services District cease and desist from discharging wastes contrary to requirements listed in "B" above;
- B. Compliance with the Board's requirements be completed according to the following schedule:

<u>TASK</u>	<u>COMPLETION DATE</u>	<u>STATUS REPORT DUE</u>
Award construction contract for facilities to comply with all requirements	November 11, 1971	November 15, 1971
Commence Construction	December 1, 1971	December 15, 1971
Compliance with all requirements:	July 31, 1972	August 15, 1972

- C. Additional discharges to the sewer system tributary to the Valley Community Services District's treatment plant by dischargers not discharging to the system prior to the issuance of this order are prohibited subject to the following conditions:
 - 1. The prohibition does not apply to buildings under construction or to building or sewer connection permits issued prior to October 28, 1971.
 - 2. Additional connections to the sewer system will be permitted as a result of interim corrective measures only when this Board is satisfied that the loading on the receiving waters will not be increased beyond the loading

prior to the issuance of this order and that odor nuisance is not being caused and will not be caused.

- D. The Valley Community Services District is required to provide to the board by November 15, 1971 and monthly thereafter a report, under penalty of perjury, on its progress toward compliance with requirements.
- E. If, in the opinion of the Executive Officer, the Valley Community Services District fails to comply with the provisions of this order, the Executive Officer is directed to request the Attorney General to take the appropriate enforcement action against the District, including injunction and civil monetary remedies, if appropriate.

I, Fred H. Dierker, Executive Officer of the California Regional Water Quality Control Board, San Francisco Bay Region, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the Regional Board at a meeting held on October 28, 1971.

Executive Officer