

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 82-24

LAS GALLINAS VALLEY SANITARY DISTRICT,
MARIN COUNTY

ORDER GRANTING ADDITIONAL DISCHARGES TO THE
DISTRICT'S SEWER SYSTEM PURSUANT TO CEASE
AND DESIST ORDER NO. 80-39, AS AMENDED BY
ORDER NO. 80-43 AND AMENDING THE CEASE
AND DESIST ORDER

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

1. On April 15, 1980, this Board adopted Order No. 80-22, an NPDES (National Pollutant Discharge Elimination System) Permit prescribing waste discharge requirements covering the discharge of waste and pollutants by the Las Gallinas Valley Sanitary District (hereinafter discharger).
2. On August 5, 1980 this Board adopted Order No. 80-39, an Order requiring the discharger to cease and desist from discharging waste contrary to requirements prescribed in Order No. 80-22. Furthermore, this order prohibited additional discharges to the discharger's sewer system.
3. On September 16, 1980, this Board adopted Order No. 80-42, revising waste discharge requirements contained in Order No. 80-22; and Order No. 80-43, amending Order No. 80-39 requiring the discharger to cease and desist from discharging waste contrary to requirements prescribed by the Board.
4. Order No. 80-39, as amended by Order No. 80-43, provides for partial removal of the prohibition of additional discharges and the allowance of a specified number and type of additional discharges to the sewer system when the discharger demonstrates to the Board that it has achieved and completed certain specified tasks which represent substantial progress in meeting waste discharge requirements. The Order further provides for partial removal of the prohibition and allowance of additional discharges to the sewer system if the discharger demonstrates that a measure of substantial progress, other than completing a specified task, has been achieved and that compliance with other limitations and time schedules has not deteriorated.
5. On December 2, 1980, this Board adopted Order No. 80-58, an Order granting additional discharges to the discharger's sewer system pursuant to the cease and desist order. This action was based on the discharger's completing a specified task by providing documentation that it had secured the necessary local share of funds necessary to construct a project designed to comply with waste discharge requirements.

6. In a letter dated March 15, 1982, the discharger asserted that substantial progress had been made in the project, citing the anticipated award of a treatment plant construction contract and the completion of an agreement with St. Vincent's for acquisition of a portion of its land for the reclamation element of the project. In this letter the discharger requested the Board to completely remove the prohibition of additional discharges to the sewer system contained in the Cease and Desist Order.
7. Although the Board finds that the discharger has made some measure of progress on the treatment plant improvements and the reclamation element, sufficient uncertainty exists in the completion of these projects such that there exists no basis to completely remove the prohibition of additional discharges to the sewer system at this time.
8. In recognition of some progress made by the discharger towards meeting NPDES permit requirements, the Board finds that limited partial relief from the prohibition of additional connections is warranted.
9. The time schedule for NPDES Permit compliance contained in paragraph B of this Board's Order No. 80-39, as amended by Order No. 80-43, has not been met and is no longer appropriate.
10. The discharger is violating and/or threatening to further violate the waste discharge requirements contained in Regional Board Order No. 80-22, amended by Order No. 80-42, an NPDES Permit.
11. On April 21, 1982, in a meeting starting at 9:30 a.m. in the Assembly Room, State Building, 1111 Jackson Street, Oakland, California, after due notice to the discharger and all interested and affected persons and agencies, the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

IT IS HEREBY ORDERED THAT:

- A. The prohibition of additional discharges to the sewer system as provided in Order Nos. 80-43 and 80-39 is partially removed and the Las Gallinas Valley Sanitary District is allowed additional discharges to the sewer system sufficient to serve 400 equivalent single family connections provided the discharger has received and processed all documents for these connectins required by the discharger for issuance of a sewer connectin permit prior to April 21, 1982.

B. Paragraph B, page 5, of this Board's Order No. 80-43, which amended Order No. 80-39, is hereby amended to read as follows:

"B. The discharger shall comply with Prohibition A.1, and A.2; Final Effluent Limitation B.1.a, B.1.b, B.1.c, B.1.d, B.1.e, B.1.f, B.1.h, B.1.i, B.1.j, B.2 and B.3; and Receiving Water Limitations D.1.a, D.1.d, D.1.e, and D.2 of the Board's Order No. 80-22 as revised by Order No. 80-42, in accord with the following time schedule:

<u>Task</u>	<u>Completion Date</u>
1. Award contract for Treatment Plant Improvements	June 1, 1982
2. Report on Status of Land Acquisition for Effluent Disposal Facilities	July 11, 1982
3. Complete Design of Effluent Disposal Facilities	January 1, 1983
4. Acquire land necessary for Effluent Disposal	February 1, 1983
5. Begin Construction of Effluent Disposal Facilities	June 1, 1983
6. Complete Construction of Treatment Plant Improvements	March 1, 1984
7. Complete Construction of Effluent Disposal Facilities	May 1, 1984
8. Full Compliance with NPDES Permit	June 1, 1984"

C. Paragraph E, page 7, of this Board's Order No. 80-43, which amended Order No. 80-39, is hereby amended to read as follows:

"E. The Board will consider the partial removal of the prohibition of additional discharges and the allowance of a specified number and type of additional discharges to the sewer system by dischargers who did not discharge waste into the sewer system before August 5, 1980, when the District demonstrates to the Board that they have achieved and completed any of the tasks specified in B. above, exclusive of B.1, B.2. and B.3, and that compliance with any of the other specified tasks has not deteriorated.

The District should submit to the Board adequate documentation of completion of any one of these tasks at least 30 days prior to the Board meeting of which it is requesting consideration for partial or complete removal of the prohibition. The District should also submit to the Board adequate documentation that assures the Board that compliance with other tasks under time schedule have not deteriorated. If the Board determines that the District has achieved and completed any one of these tasks and that compliance with other limitations and time schedules has not deteriorated, the Board will partially remove said prohibition and will allow the District additional discharges to the sewer system.

The Board will consider adding significant tasks not specified above as they become apparent, which represent a measure of substantial progress by the District as additional basis for the partial removal of this prohibition and allowance of additional discharges to the sewer system. Further, the Board may consider the complete removal of this prohibition upon the effective implementation of Tasks 1-5 of Paragraph B., and a demonstration of substantial progress toward compliance with this Order."

I, Fred H. Dierker, 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, San Francisco Bay Region, on April 21, 1982.

FRED H. DIERKER
Executive Officer