

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

MS

78-2

In the Matter of the Petition of
the Monterey Regional County Sani-
tation District for Review of
Order No. 77-03, (NPDES Permit
No. CA0048186) of the California
Regional Water Quality Control
Board, Central Coast Region. Our
File No. A-178.

Order No.

WQ 78-2

BY THE BOARD:

On July 8, 1977, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted Order No. 77-03, a cease and desist order requiring the Seaside County Sanitation District (Seaside), Monterey County, to cease and desist discharging waste in violation of waste discharge requirements.

On August 9, 1977, the Monterey Regional County Sanitation District^{1/} (petitioner) filed with the State Board a petition for review and request for stay of Order No. 77-03. The request for stay was denied by the State Board In Order No. WQ 77-25.

^{1/} On July 1, 1977, the ownership of and the responsibility for operation and maintenance of the Seaside treatment plant were transferred to the Monterey Regional County Sanitation District.

BACKGROUND

The City of Seaside is located on the southern end of Monterey Bay. The petitioner owns and operates a primary treatment facility with a design capacity of 2.0 mgd. The petitioner currently discharges an average of 1.52 mgd of treated domestic sewage to the Pacific Ocean via an 850-foot outfall. The Water Quality Control Plan, Central Coast Basin, identifies numerous beneficial uses for the area including recreation, shellfish harvesting, industrial water supply, preservation of rare and endangered species and marine environment.

The record discloses that Seaside has had continued problems with this waste discharge primarily occasioned by breaks in the outfall in the surf zone area. The current problems date back to about 1973. Seaside has made limited attempts to repair the outfall during times of the year when the tides have been unusually low. However, due to the unusually difficult surf conditions, the repair efforts have only been partially successful. Currently, most of the wastewater discharges through a break in the outfall between 200-300 feet from the manhole at the edge of the beach.

Violations of waste discharge requirements contained in Regional Board Order No. 74-50 (NPDES Permit No. CA0048186) as amended by Order No. 77-48 have been caused by the outfall

problem^{2/}. The District's self monitoring reports show that the residual chlorine requirement has been consistently violated and the receiving water coliform limits are violated on numerous occasions. The self-monitoring reports include the period from September 1976 through May 1977. These violations of requirements are not disputed by the District. On May 16, 1977, the EPA issued a Finding of Violation for this facility. The District is currently involved in the implementation of the Regional Wastewater System which will serve all of northern Monterey County. The Seaside treatment plant and outfall will be eliminated and replaced with a pump station discharging untreated wastewater into an interceptor tributary to the

2. Specific requirements in question include the following:

Effluent Limitation "B.4.", which states, in part, "discharge of an effluent in excess of the following concentrations is prohibited:

<u>Constituents</u>	<u>Units</u>	<u>More Than 50% of Time</u>	<u>More Than 10% of Time</u>
Chlorine Residual (Total)	mg/l	1.0	2.0 ..."

Provision D.6." references "Standard Provision" No. 6, which states "the discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed by the discharger to achieve compliance with waste discharge requirements."

Receiving Water Limitation C.1

Nearshore waters in the vicinity of the discharge shall have a most probable number of coliform organisms less than 1000 per 100 ml (10 per ml); provides that not more than 20 percent of the samples at any sampling station, in any 30-day period, may exceed 1,000 per 100 ml (10 per ml), and provided further that no single sample when verified by a repeat sample taken within 48 hours shall exceed 10,000 per 100 ml (100 per ml).

regional treatment plant. The current estimated for elimination of the Seaside ocean discharge is early 1980 in accordance with an accelerated grant.

CONTENTIONS

In summary, the petitioner has made the following contentions:

- 1) The terms and time schedule included in Order No. 77-03 impose an unreasonable financial burden on the petitioner.
- 2) The Order requires complete repair or replacement of the outfall. Further, the petitioner wants to coordinate compliance with EPA as well as with the Regional Board.
- 3) As this discharge will be eliminated in mid-1980 as a result of completion of the first stage of the Regional System, interim improvements to the Seaside treatment plant are not in the public interest.
- 4) There will be no substantial harm to interested persons or the environment if the present conditions are allowed to continue for an interim period.

FINDINGS

In August, 1977, the petitioner submitted to the Regional Board a Report Concerning NPDES Permit Violations at the Seaside Wastewater Treatment Plant. This Report included detailed analysis of alternative methods of compliance with waste discharge requirements. Mr. Robert Jaques, the petitioner's District Engineer, reviewed and

discussed these alternatives at the Regional Board hearing on July 5, 1977. The Report and testimony at the hearing disclose a wide range of financial costs for the various alternatives.

After meeting with the Regional Board staff in November, 1977, the petitioner has decided to undertake the following improvements to comply with Order No. 77-03:

- (1) Convert one of the two existing chlorinators for use as a sulfonator.
- (2) Inject sulfur dioxide at the surge manhole (shown as point "F" on Figure 1 of discharger's report dated 8/77) at a rate sufficient to achieve essentially a zero chlorine residual at the point of discharge from the outfall.
- (3) Increase chlorine dosage as necessary to reliably meet receiving water coliform standards.^{3/}

These improvements are described in more detail in the petitioner's August, 1977, Report to the Regional Board. The Regional Board Executive Officer has accepted the above approach to compliance with Regional Board Order No. 77-03 with the condition that the petitioner must also maintain its outfall shoreward of the current break (see page 2, above) to keep discharges away from beach

^{3/} Letter dated November 15, 1977, from Robert Jaques, District Engineer, for the petitioner, to Kenneth Jones, Regional Board Executive Officer.

areas exposed to public access.^{4/} The petitioner has agreed to this condition.^{5/}

We find that the action of the Regional Board in adopting Order No. 77-03 was appropriate and proper in that some expeditious improvements must be undertaken by the petitioner in order to meet the residual chlorine and coliform limitations of Order No. 77-03 and to prevent near-shore breaks in the outfall. The petitioner's report has shown that several alternatives are available at varying financial cost. The petitioner's decision to undertake the improvements set forth above indicates a cooperative willingness to comply with requirements^{6/} while, at the same time, expeditiously pursuing the regional system solution.

^{4/} Letter dated November 30, 1977, from Kenneth Jones to W. Lapham, Manager, Monterey Regional County Sanitation District.

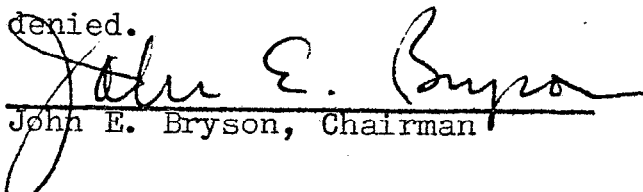
^{5/} Letter dated December 13, 1977, from Robert Jaques, District Engineer for the petitioner to Kenneth Jones.

^{6/} Petitioner's Report estimates capital costs of these improvements to be \$9,400. The annual operating costs would be \$7,300 for sulfur dioxide and an appropriate amount for increased chlorine.


ORDER

NOW, THEREFORE, IT IS ORDERED that the action of the California Regional Water Quality Control Board, Central Coast Region, in adopting Cease and Desist Order No. 77-03 was appropriate and proper and this petition is hereby denied.

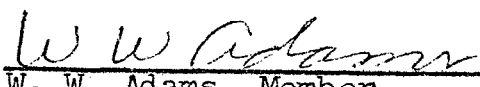
Dated: January 19, 1978



John E. Bryson, Chairman



W. Don Maughan, Vice-Chairman



W. W. Adams, Member