

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2013-XXXX

RESCISSION OF CEASE AND DESIST ORDER R5-2010-0062
FOR
CITY OF DUNSMUIR
DUNSMUIR WASTEWATER TREATMENT PLANT
SHASTA AND SISKIYOU COUNTIES

The California Regional Water Quality Control Board, Central Valley Region, (hereafter referred to as Central Valley Water Board or Board) finds:

1. The City of Dunsmuir (Discharger) owns and operates the Dunsmuir Wastewater Treatment Plant (WWTP). The WWTP discharges treated wastewater to the Sacramento River, a water of the United States. The WWTP is located at 1100 South First Street in Dunsmuir.
2. On 8 December 2006, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2006-0129, NPDES Permit No. CA0078441 that prescribed waste discharge requirements for the Discharger's WWTP. WDRs Order No. R5-2006-0129 contained, in part, final effluent limits for copper, dichlorobromomethane (DCBM), and zinc that the Discharger could not comply with until additional, necessary control measures were identified and implemented.
3. WDRs Order R5-2006-0129 contained interim effluent limits for copper and DCBM and a time schedule to comply with the final effluent limitations by 18 May 2010.
4. Cease and Desist Order (CDO) R5-2006-0136 was issued concurrent with the adoption of WDRs Order R5-2006-0129 to grant a time schedule for compliance with the final effluent limitations for zinc. This CDO R5-2006-0136 contained an interim effluent limit for zinc which required the Discharger to come in to compliance with the final effluent limitations by 18 May 2010.
5. On 27 May 2010, Central Valley Water Board found the Discharger had completed required tasks as specified in WDRs Order R5-2006-0129 and CDO R5-2006-0136 to ensure compliance with final effluent limitations for copper, DCBM, and zinc would be achieved. Central Valley Water Board rescinded CDO R5-2006-0136 and adopted CDO R5-2010-0062 to provide the Discharger interim effluent limitations and a single time schedule to fully implement additional control measures specified in plans submitted by the Discharger, or take other actions to come into compliance with final effluent limitations. This CDO R5-2010-0062 set a final compliance deadline of 1 December 2011 to meet final effluent limitations for copper, DCBM, and zinc.

6. WDRs Order R5-2006-0129 expired on 27 January 2012 and was administratively extended until the Board adopted WDRs Order R5-2012-0085, NPDES Permit No. CA0078441 on 4 October 2012, prescribing new waste discharge requirements for the Discharger's WWTP. WDRs Order R5-2012-0085 establishes final effluent limits for copper, DCBM, and zinc that the Discharger can immediately comply with based upon new information obtained from effluent and receiving water monitoring data collected, special studies conducted, and facility improvements completed during the term of the previous permit (WDRs Order R5-2006-0129).
7. The Discharger has achieved compliance by completing all of the tasks in CDO R5-2010-0062 or taking other actions to come into compliance with final effluent limitations and demonstrating the ability to comply with final effluent limits for copper, DCBM, and zinc in the current permit (WDRs Order R5-2012-0085), rescission of CDO R5-2010-0062 is appropriate.
8. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to rescind CDO R5-2010-0062 and has provided them with an opportunity for a public hearing and an opportunity for them to submit their written views and recommendations.
9. Issuance of this Order is an enforcement action of a regulatory agency, and therefore, is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code § 21000 et seq.), in accordance with California Code of Regulations, title 14, section 15321(a)(2).
10. The Central Valley Water Board, in a public meeting, heard and considered all comments and evidence pertaining to this matter.
11. Any person adversely affected by this action of the Central Valley Water Board may petition the State Water Resources Control Board (State Board) to review this action. The petition must be received by the State Board, Office of the Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date in which the action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

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IT IS HEREBY ORDERED that Cease and Desist Order R5-2010-0062 is rescinded.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on XX October 2013.

PAMELA C. CREEDON, Executive Officer