

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

SPECIAL BOARD ORDER R7-2015-0041

AMENDING CEASE AND DESIST ORDER R7-2011-0058  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
PERMIT CA0105023  
FOR  
SEELEY COUNTY WATER DISTRICT  
Seeley – Imperial County

The California Regional Water Quality Control Board, Colorado River Basin Region (hereinafter Regional Water Board), finds:

1. Seeley County Water District (hereinafter Discharger) owns and operates a wastewater treatment plant (WWTP) serving the unincorporated community of Seeley. The current total design capacity of the wastewater treatment plant is 0.25 MGD and is located at 1898 West Main Street, Seeley, CA 92273.
2. On September 19, 2007, the Regional Water Board adopted Waste Discharge Requirements (WDRs) Order R7-2007-0036 (NPDES Permit CA0105023) for the Discharger to regulate discharges of treated wastewater. WDRs Order R7-2007-0036 contains specific effluent limitations, prohibitions, specifications, and provisions that were necessary to protect the beneficial uses of the surface and ground waters within the Colorado River Basin Region.
3. On November 17, 2011, the Regional Water issued CDO R7-2011-0058 requesting the Discharger to prepare and implement a Pollution Prevention Plan to achieve full compliance with the effluent limitation in WDRs Order R7-2007-0036 by August 31, 2015.
4. CDO R7-2011-0058 may be modified, rescinded and reissued, for cause. The filing of a request by the Discharger for a Board Order modification, rescission and reissuance, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include, but are not limited to, the promulgation of new regulations, modification of land application plans, or modification in sludge use or disposal practices, or adoption of new regulations by the State Water Board or the Regional Water Board, including revisions to the Basin Plan.
5. On May 7, 2012, the Regional Water Board adopted Settlement Agreement and Administrative Civil Liability Order (ACLO) R7-2012-0016 pursuant to Government Code Section 11415.60. ACLO R7-2012-0016 imposed one-hundred thirteen thousand three-hundred eighty dollars and thirty-five cents (\$113,380.35) in administrative civil liability against the Discharger. Of the assessed amount, the Discharger paid a total of eight thousand three hundred eighty dollars and thirty-five cents (\$8,380.35) to the State Water Pollution Cleanup and Abatement Account, and the Regional Water Board suspended the remaining one-hundred and five thousand dollars (\$105,000) in liability upon completion of a Compliance Project (CP) as stipulated in ACLO R7-2012-0016. The Discharger proposed to construct a series of Evaporation/Percolation Ponds as CP to eliminate its NPDES discharge. ACLO R7-2012-0016 requires the Discharger to complete the CP by August 1, 2015.

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6. On January 17, 2013, the Regional Water Board adopted WDRs Board Order No. R7-2013-0019 for the Discharger's Evaporation/Percolation Pond Pilot Project. The Pilot Project was necessary to determine the feasibility of disposing of the wastewater onsite through evaporation and percolation.
7. In early 2013, the Discharger discovered that the WWTP effluent entering the Evaporation/Percolation Pond Pilot Project resulted in the destabilization of the pond's side slope along the New River Basin and transmitted wastewater directly to the New River. On October 1, 2013, the Discharger reported that the concept to dispose of the final wastewater effluent to Evaporation/Percolation Ponds was deemed unfeasible.
8. On March 20, 2014, the Regional Water Board adopted Board Order No. R7-2014-0037 rescinding the WDRs Board Order No. R7-2013-0019 for the Evaporation/Percolation Pond Pilot Project.
9. On April 15, 2014, the Discharger requested an extension to implement a CP to comply with the terms of ACLO R7-2012-0016 because it was not feasible to implement the CP it had originally proposed. As background on the matter, the Discharger reports that it had a large turn-over of staff, board members, and key consultants in the organization. Regional Water Board staff has determined that the Discharger needs additional time to return into full and sustained compliance with its Board Order for factors beyond the reasonable control of the Discharger. In a Regional Water Board letter dated June 12, 2014, and consistent with ACLO R7-2012-0016, the EO granted a CP extension to August 1, 2016. To be consistent with the new deadline granted by the EO for compliance with ACLO R7-2012-0016, and because the Discharger needs additional time to bring its discharge into compliance with its NPDES Permit due to various factors, including factors beyond its control, this proposed Special Board Order revises CDO R7-2011-0058 to extend the deadline to achieve full compliance with WDR Order R7-2007-0036 by August 1, 2016.
10. The Regional Water Board published Public Notice 7-15-34 for this Special Board Order on August 3, 2015 about this proposed amendment to CDO R7-2011-0058.
11. Issuance of this Special Board Order amending CDO R7-2011-0058 to enforce CWC, Division 7, Chapter 5.5 is exempt from the provisions of CEQA (Pub. Resources Code, § 21000 et seq.), in accordance with Section 15321 ("Enforcement Actions by Regulatory Agencies") Title 14, California Code of Regulations.

IT IS HEREBY ORDERED, that Cease and Desist Order R7-2011-0058 is amended in the manner specified below upon the effective date of this Special Board Order, and, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Special Board Order as well as with those portions of CDO R7-2011-0058 that were not amended by this Special Board Order:

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Page 5, Table 1, **Modify Completion date of Milestone 5** is below:

5	Achieve full compliance with Board Order R7-2007-0036	Submit written certification that WWTP is in compliance with Board Order R7-2007-0036 (NPDES Permit CA0105023)	<b>August 1, 2016</b>
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I, Robert E. Perdue, 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, Colorado River Basin Region, on September 17, 2015.



ROBERT E. PERDUE, Executive Officer