



California Regional Water Quality Control Board Lahontan Region



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FEB 01 2008

Richard Solbrig
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PROPOSED BOARD ORDER TO RESCIND CEASE AND DESIST ORDER NO. 6-88-14 FOR THE SOUTH TAHOE PUBLIC UTILITY DISTRICT, EL DORADO AND ALPINE COUNTY, WDID 6A095900700

Enclosed is a proposed Board Order that would rescind an existing Cease and Desist Order against the South Tahoe Public Utility District. The CDO was issued to address past compliance issues surrounding the discharge of treated wastewater and overflows from the collection systems. The Water Board requests that you review the proposed Order and provide your written comments no later than **February 29, 2008**. The proposed Order is to be presented to the Water Board for adoption at a public meeting scheduled for March 12 and 13, 2008 in Truckee, CA.

If you need further information regarding the proposed Order, please contact me at (530) 542-5467, or Alan Miller, P.E., Chief, North Basin Regulatory Unit, at (530) 542-5430, or at the letterhead address above.


for Robert Tucker
Water Resource Control Engineer

Enclosures: Proposed Rescission Order

cc: Ginger Huber, El Dorado County Environmental Health
Dennis Lampson, Alpine County Environmental Health
Paul Sciuto, South Tahoe Public Utility District
Randy Curtis, South Tahoe Public Utility District
Dennis Cocking, South Tahoe Public Utility District

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California Environmental Protection Agency

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

BOARD ORDER NO. R6T-2008- (PROPOSED)

**RESCISSION OF CEASE AND DESIST
ORDER NO. 6-88-14**

FOR

SOUTH TAHOE PUBLIC UTILITY DISTRICT

El Dorado & Alpine County

The California Regional Water Quality Control Board, Lahontan Region (Water Board or Regional Board) finds:

1. The Discharger

The South Tahoe Public Utility District (District) provides wastewater treatment and disposal for the South Lake Tahoe area. The District services over 17,600 homes and businesses, and is responsible for 420 miles of wastewater collection line and a 26-mile effluent export line. The District treats the wastewater with a filtered secondary wastewater treatment plant that discharges into Harvey Place Reservoir, a storage reservoir constructed in Alpine County. The water is released from Harvey Place Reservoir into a recycled wastewater conveyance system to irrigate agricultural lands (under separate requirements) in Alpine County.

2. History

Prior to 1989 the District discharged into the Indian Creek Reservoir under a National Pollutant Discharge Elimination System (NPDES) permit. Meeting the effluent requirements in the NPDES permit was difficult for the District and the District exceeded the limits on a regular basis. Additionally, in 1987, the District had 29 unauthorized discharges, four of which were from the export line and the rest from the collection system.

Due to the number of violations and the nature of the different violations the Water Board adopted nine separate Cease and Desist Orders against the District over a period of 10 years from 1976 -1986. On January 14, 1988, the Water Board adopted Cease and Desist Order (CDO) No. 6-88-14 against the District. CDO No. 6-88-14 rescinded the nine other CDOs because some of the requirements had been accomplished or were no longer necessary, and the outstanding requirements were inserted into CDO No. 6-88-14 to consolidate all enforcement Order requirements into a single enforcement Order.

3. Requirements in CDO No. 6-88-14

The following text and numbering is from the original requirements in CDO No. 6-88-14, and bold type below each requirement indicates how each requirement was satisfied.

- "2. [It is hereby ordered that] The South Tahoe Public Utility District cease and desist forthwith from discharging waste contrary to requirements and discharge prohibitions listed in Findings No. 17, 18, and 19 above."

The referenced findings in CDO No. 6-88-14 were quoted from the NPDES permit No. CA0102709/Board Order No. 6-85-22 in effect at that time. The District ceased discharging treated effluent into Indian Creek Reservoir on January 18, 1989. The NPDES permit was rescinded, and thereafter the effluent requirements were no longer applicable.

- "3. [It is hereby ordered that] The South Tahoe Public Utility District comply with NPDES Permit No. CA0102709 and the water quality objectives contained in the Water Quality Control Plan for the North Lahontan Basin as amended for the Carson River Hydrologic Unit and the Indian Creek Watershed by October 15, 1988."

The District ceased discharging to a surface water of the Carson Hydrologic Unit on January 18, 1989. The NPDES Permit No. CA0102709 was rescinded (by Board Order No. 6-89-91) and the Basin Plan water quality objectives were also no longer applicable because there was no discharge to surface waters.

- "4. [It is hereby ordered that] The South Tahoe Public Utility District submit the results of the infiltration and inflow study to the Regional Board by July 1, 1988 and implement corrective measures by August 1, 1988. Annual reports shall be submitted to the Regional Board commencing on February 1, 1989 describing the measures to be taken for that year to correct infiltration and inflow problems."

The District has submitted a Notice of Intent to comply with the State Water Resources Control Board's Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Board Order No. 2006-0003-DWQ (General Board Order). The General Board Order requires a system-specific Sewer System Management Plan (SSMP), and provides for comprehensive regulation of the District systems. The SSMP will include maintenance planning for the wastewater collection system. The annual requirement in the CDO is now required by the General Board Order, and is not needed.

- "5. [It is hereby ordered that] The South Public Utility District submit on an annual basis, by February 1 of each year, the maintenance plan for the collection system for that year. The plan shall include but not be limited to, the sections of line to be cleaned, the frequency of cleaning, the equipment used for the maintenance work, the number of personnel to be used for the maintenance work, the number of personnel to be used to do the maintenance work and other information as required. This report may be made in conjunction with the I/I report. The first report shall be submitted by February 1, 1988."

The District has submitted a Notice of Intent to comply with the General Board Order. The General Board Order includes provisions to provide and report on proper and efficient management, operation, and maintenance of sanitary sewer systems. The annual requirement in the CDO is now required by the General Board Order, and is not needed.

- "6 [It is hereby ordered that] The South Tahoe Public Utility District shall complete the lining of the Emergency Retention Basin by October 15, 1988."

The District accomplished the lining of the emergency retention basin by October 15, 1988.

- "7 Four (4) of the 29 discharges in 1987 have occurred from the effluent export line. The line is approximately 20 years old and is subject to deterioration. Therefore, it is hereby ordered that the South Tahoe Public Utility District prepare an investigation of the complete effluent export system, including but not limited to the integrity of the pressure and gravity sections of the pipeline, the pump stations at Luther Pass and the ability to export from the treatment plant and Luther Pass during emergency situations. A report summarizing the investigation and the actions to be taken as a result of the investigation shall be submitted to the Regional Board by January 15, 1989."

Since the adoption of CDO No. 6-88-14, the District has replaced 15 miles of the pressurized export line. Additionally, the sewer system will be continuously evaluated pursuant to the General Board Order. The District has accomplished significant actions to prevent recurring spills from the collection system since adoption of CDO No. 6-88-14.

4. Requirements
All of the requirements in Cease and Desist Order No. 6-88-14 have either been accomplished or will be accomplished by the District complying with the General Board Order.

5. California Environmental Quality Act
Revoking this enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) in accordance with Section 15321, Title 14, California Code of Regulations.
6. Notification of Interested Parties
The Water Board notified the District and interested parties of the proposed Order and public hearing scheduled for the Water Board meeting on March 12 and 13, 2008 in Truckee, CA. A legal notice of the hearing was published in the Tahoe Daily Tribune.
7. Public Hearing
The Water Board held a public hearing at Tahoe Truckee Sanitation Agency on March 12, 2008, to receive testimony and comments concerning this Board Order.

IT IS HEREBY ORDERED THAT: Cease and Desist Order No. 6-88-14 be rescinded.

I, Harold J. Singer, 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, Lahontan Region, on March 12, 2008.

HAROLD J. SINGER
EXECUTIVE OFFICER