

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

**MEETING OF JUNE 19-20, 2013
LEE VINING**

ITEM: 13

SUBJECT: PUBLIC HEARING – CONSIDERATION OF RESCISSION OF CEASE AND DESIST ORDER NO. R6V-2004-0038 AND AMENDED CEASE AND DESIST ORDER NO. R6V-2004-0038-A1 FOR LOS ANGELES COUNTY SANITATION DISTRICT NO. 14, LANCASTER WATER RECLAMATION PLANT, LOS ANGELES COUNTY

CHRONOLOGY:

October 13, 2004	Cease and Desist Order R6V-2004-0038 adopted
November 29, 2007	Cease and Desist Order R6V-2004-0038 amended
Multiple Dates, 2002 and previous	Authorizes discharges to Piute Ponds.

DISCUSSION: The Los Angeles County Sanitation District (LACSD) No. 14 has been under Cease and Desist Orders to eliminate a nuisance condition associated with discharges to Piute Ponds, a playa wetland. LACSD No. 14 has completed projects that divert discharges away from Piute Ponds, thereby eliminating the nuisance condition. Therefore, the Cease and Desist Orders are no longer needed.

A tentative rescission Order was sent to interested parties on February 25, 2013 for their comments. LACSD No. 14 was the only party to comment. Water Board staff received their comment letter on March 12, 2013. LACSD No. 14 recommended changes to the text of the tentative rescission. Their recommended changes are shown as strike-out and underline format in the proposed CDO rescission as Enclosure 2.

RECOMMENDATION: Adopt the proposed Order, accepting all edits shown in strike-out and underline format, rescinding the named Cease and Desist Orders.

ENCLOSURE	ENCLOSURES	Bates Number
1	Proposed Rescission Order	13-03
2	Comments received	13-09

ENCLOSURE 1

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

**BOARD ORDER NO. R6V-2013-(PROPOSED)
WDID No. 6B190107017**

**RESCISSION OF CEASE AND DESIST ORDER NO. R6V-2004-0038
AND AMENDED CEASE AND DESIST ORDER NO. R6V-2004-0038-A1**

for

**LOS ANGELES COUNTY SANITATION DISTRICT NO. 14
LANCASTER WATER RECLAMATION PLANT**

Los Angeles County

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

1. Reason for Action

The Los Angeles County Sanitation District No. 14, hereafter referred to as “Discharger”, has been under Cease and Desist Orders to eliminate a nuisance condition associated with discharges to Piute Ponds, a playa wetland. The Discharger has completed projects that divert discharges away from Piute Ponds, thereby eliminating the nuisance condition. Therefore, the Cease and Desist Orders are no longer needed.

2. Discharger and Facility

The Discharger provides treatment for wastewater generated in the City of Lancaster, nearby unincorporated areas of Los Angeles County, and a portion of the City of Palmdale at the Lancaster Water Reclamation Plant, hereafter referred to as “Facility”. The Facility is located north of Avenue D, between State Route 14 on the west and Sierra Highway (Historical US 6) on the east.

The Facility has four treatment plants. The plants and their capacities are: 1) 16 million gallons per day (MGD) secondary plant, 2) 0.6 MGD Antelope Valley Tertiary Treatment Plant (AVTTP), 3) 1.0 MGD Membrane Bioreactor Plant (MBR), and 4) 15 MGD tertiary plant. The secondary plant uses aerated lagoon technology. The tertiary plant was completed on July 31, 2012. It includes activated sludge, nitrification, and de-nitrification unit processes. With completion of the tertiary plant, the Discharger operates the secondary plant on an as-needed, reduced flow basis. The Discharger has retired the AVTTP and MBR plants. Prior to completion of the tertiary plant, the Discharger used tertiary effluent from the AVTTP and MBR plants for reuse purposes.

3. Waste Discharge Requirements

Board Order No. R6V-2002-053, and Amendment Nos. R6V-2002-053A1 and R6V-2002-053A2, authorize the discharge from the Facility. Board Order No. R6V-2006-0051 authorizes tertiary effluent storage in the tertiary effluent storage reservoirs.

4. Background

Board Order No. R6V-2002-053, and its precedent Orders, authorizes discharges to Piute Ponds. In the past, this discharge had caused pond overflows onto Rosamond Dry Lake which created a nuisance condition because they interfered with Edwards Air Force Base (Air Force) aircraft emergency landing operations on Rosamond Dry Lake. Requirement I.E.6 of Board Order No. R6V-2002-053 prohibits a nuisance condition as defined in California Water Code section 13050(m).

Amargosa Creek is a tributary to Piute Ponds, and Piute Ponds are a tributary to Rosamond Dry Lake. The Piute Pond system is a playa wetland. Flow from Piute Ponds into Rosamond Dry Lake may occur during the winter when Piute Ponds cannot fully contain the water. Parts of Piute Ponds and all of Rosamond Dry Lake are located on the Air Force land.

The Lancaster facility was originally located near the Antelope Valley Fairgrounds. In 1959, it was relocated to its present site. Back then, the Lancaster population was less than 10,000. Population growth through the years caused Piute Ponds to become effluent dominated, and flows into Rosamond Dry Lake became routine. The presence of water in Rosamond Dry Lake created a nuisance condition for the Air Force, because, as described in Finding 7 of Board Order No. R6V-2002-053, it interfered with their emergency flight landing operations. To respond to this nuisance, the Discharger constructed a dike to help retain flows in Piute Ponds, and secondary effluent storage reservoirs to further contain effluent at the facility when evaporation was low. These improvements helped, but with increasing population, effluent dominated waters in Piute Pond routinely overflowed the dike spillway in the winter. These overflows are called seasonal effluent induced overflows because they occur only as a result of the Piute Pond discharge and because most of the flows occur seasonally from November to March of the following year. Water Board Order No. R6V-2002-053, Requirement II.B.4, orders the Discharger to complete a project to eliminate the threatened nuisance condition created by overflows from Piute Ponds to Rosamond Dry Lake by August 25, 2005.

The Water Board adopted Cease and Desist Order No. R6V-2004-0038 on October 13, 2004 because the Discharger could not complete the project by August 25, 2005. This Cease and Desist Order required that “by October 1, 2008, [the Discharger must] eliminate the effluent-induced overflows from Piute Ponds to Rosamond Dry Lake by implementing the projects in the Discharger’s 2020 Facilities Plan or by some alternate means that achieves compliance”. The Discharger provided project schedules that indicated that the financing, design, and construction of the project would take longer than October 1, 2008. Water Board staff contracted with an engineering firm with construction management experience to evaluate the Discharger’s project schedule for similar sized projects. The engineering firm found that the Water Board’s Cease and Desist Order construction milestones were too optimistic for similar sized projects. As a result, the Water Board adopted an amended Cease and Desist Order No. R6V-2004-0038A1 on November 29, 2007, which extended the final compliance date to November 1, 2010.

Starting August 2010, the Air Force requested the Discharger to re-establish overflows into Rosamond Dry Lake for Air Force environmental studies. The Air Force defined the beginning and ending date of each directed overflow event. The objective of the environmental studies is to evaluate the effect of flushing flows on enhancing the Piute Pond biological habitat. Because the Air Force directed these overflows for beneficial purposes, the overflows are not considered a nuisance condition as defined under the California Water Code section 13050(m).

On July 31, 2012, the Discharger completed projects to cease seasonal effluent induced overflows into Rosamond Dry Lake and to allow for controlled Piute Pond overflow as requested by the Air Force. The projects include the tertiary plant, tertiary effluent storage reservoirs, and the East Agricultural Site (hereafter referred to as “East Ag site”). The East Ag site receives tertiary effluent for agricultural recycled water use. The purpose of the tertiary effluent storage reservoirs is to provide winter storage of tertiary effluent to prevent delivery of flows to the East Ag site in excess of agronomic rates. Regardless of Air Force’s decisions to request or not request discharges that bring about overflows onto Rosamond Dry Lake, the Discharger has the capability to divert discharges away from Piute Ponds in any period where the Air Force does not request overflows.

5. Compliance Evaluation

The Discharger is in compliance with the terms of the Cease and Desist Orders as described as follows.

Final compliance is the termination of seasonal effluent induced overflows onto Rosamond Dry Lake from Piute Ponds. To demonstrate compliance, the District

must have the capability to divert seasonal effluent induced overflows to the tertiary effluent storage reservoirs and the East Ag site.

The tertiary effluent storage reservoir capacity is 1,299 million (M) gallons (gal). The East Ag Site has a capacity of 608 Mgal to receive additional tertiary effluent at winter season agronomic rates. (The East Ag Site had already been receiving about 1 MGD winter flows from the AVTTP and MBR plant; the additional tertiary effluent capacity is the winter agronomic rate minus the AVTTP/MBR flow). The combined seasonal capacity is therefore 1,299 Mgal + 608 Mgal = 1,907 Mgal.

The seasonal effluent induced overflows values for 2007-08, 2008-09, and 2009-10 are 1473 Mgal, 1413 Mgal, and 1656 Mgal, respectively. Each of these three flows is within the combined winter seasonal storage/discharge capacity of 1,907 Mgal. (Note: Overflows in and after November 2010 are not representative of seasonal effluent induced overflows because the Air Force directed overflows for Piute Ponds biological habitat studies). Therefore, the Discharger has completed the necessary projects and actions to terminate seasonal effluent induced overflows into Rosamond Dry Lake and eliminate nuisance conditions. Because the requirements of the Cease and Desist Orders have been satisfied, Cease and Desist Order Nos. R6V-2004-0038 and R6V-2004, 0038A1 may be rescinded.

6. Final and On-going Compliance

Waste Discharge Requirements contained in Board Order No. R6V-2002-053 include a Monitoring and Reporting Program that require the Discharger to record flows to Piute Pond and document compliance with the Orders. These flows will occur on an intermittent basis through direction from the Air Force.

7. California Environmental Quality Act

This action is being taken by this regulatory agency to rescind the Cease and Desist Orders, pursuant to the California Water Code and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), in accordance with title 14, California Code of Regulations, section 15321(a)(2).

8. Public Notification

The Water Board has notified the Discharger and interested parties of its intent to rescind the Cease and Desist Orders. The Water Board, in a public meeting, heard and considered all comments pertaining to this Board Order.

IT IS HEREBY ORDERED THAT:

Cease and Desist Order Nos. R6V-2004-0038 and R6V-2004-0038-A1 are hereby rescinded.

I, Patty Z. Kouyoumdjian, 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 June 19, 2013.

PATTY Z. KOUYOUMDJIAN
EXECUTIVE OFFICER

MC/rp S:\Enforc Orders 2013\R6V-2013-Prop-LACSD14_CDORescrip5-13

Proposed

ENCLOSURE 2



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON CHAN
Chief Engineer and General Manager

March 8, 2013
File No. 14-14.01-55

REC'D	3/15	RECEIVED MAR 12 2013
ME		
JC.		
FILE	6B19	0107017

Mr. Jehiel Cass, Supervising Engineer
California Regional Water Quality Control Board
Lahontan Region – Victorville Branch Office
14440 Civic Drive, Suite 200
Victorville, CA 92392

Dear Mr. Cass:

**Comments on Tentative Rescission of Cease and Desist Order No. R6V-2004-0038
& Amended Cease and Desist Order No. R6V-2004-0038-A01
Lancaster Water Reclamation Plant, WDID No. 6B190107017**

County Sanitation District No. 14 of Los Angeles County (Sanitation District) appreciates the opportunity to provide comments on the Tentative Rescission of Cease and Desist Order No. R6V-2004-0038 and Amended Cease and Desist Order No. R6V-2004-0038-A1 (Rescission), issued by the California Regional Water Quality Control Board, Lahontan Region (Regional Board) on February 25, 2013. The Sanitation District has reviewed the Tentative Rescission and strongly supports its adoption. However, we would like to request that several minor alterations, as detailed in Attachment 1, be made to the Rescission to increase its accuracy. Should you have any questions regarding these comments, please contact the undersigned at (562) 908-4288, extension 2801.

Very truly yours,

Grace Robinson Chan

Mike Sullivan
Section Head
Monitoring Section

MS:PMN:nm
Attachment

cc: Mike Coony, Lahontan Regional Board

Attachment 1

Sanitation District No. 14 of Los Angeles County (Sanitation District)
 Comments on Tentative Rescission of Cease and Desist Order No. R6V-2004-0038 & Amended Cease
 and Desist Order No. R6V-2004-0038-A1

Comment No.	Location in Document	Original Text	Comment and Recommend Text
1	Finding 2 Paragraph 1	“The Discharger provides wastewater treatment for the Lancaster community at the Lancaster Water Reclamation plant, ...”	<p>Comment - The Lancaster Water Reclamation Plant receives and treats wastewater from a more expansive area:</p> <p>“The Discharger provides <u>treatment for wastewater generated in the City of Lancaster, nearby unincorporated areas of Los Angeles County, and a portion of the City of Palmdale</u> at the Lancaster Water Reclamation plant, ...”</p>
2	Finding 4 Paragraph 1	“This discharge has caused pond overflows into Rosamond Dry Lake. These overflows create a nuisance condition because they interfere with Edwards Air Force base (Air Force) aircraft emergency landing operations.”	<p>Comment - Clarification is needed because current and future releases from Piute Ponds onto Rosamond Dry Lake do not create a nuisance condition as they are at the request of, and controlled by, Edwards Air Force Base:</p> <p>“<u>In the past, this discharge had caused pond overflows onto Rosamond Dry Lake, which created a nuisance condition because they interfered with Edwards Air Force Base (Air Force) aircraft emergency landing operations on Rosamond Dry Lake.</u>”</p>
3	Finding 4 Paragraph 6	“The purpose of the tertiary effluent storage reservoirs is to provide winter storage of tertiary effluent during periods where flows to the East Ag site exceed agronomic rates.”	<p>Comment - Clarification is needed, as flows in excess of agronomic rates are not sent to the East Ag site:</p> <p>“The purpose of the tertiary effluent storage reservoirs is to provide winter storage of tertiary effluent <u>to prevent delivery of flows to the East Ag site in excess of agronomic rates.</u>”</p>

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

**BOARD ORDER NO. R6V-2013-(PROPOSED TENTATIVE)
WDID No. 6B190107017**

**RESCISSION OF CEASE AND DESIST ORDER NO. R6V-2004-0038
AND AMENDED CEASE AND DESIST ORDER NO. R6V-2004-0038-A1**

for

**LOS ANGELES COUNTY SANITATION DISTRICT NO. 14
LANCASTER WATER RECLAMATION PLANT**

Los Angeles County

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

1. Reason for Action

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MBR plants. Prior to completion of the tertiary plant, the Discharger used tertiary effluent from the AVTTP and MBR plants for reuse purposes.

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6. Final and On-going Compliance

Waste Discharge Requirements contained in Board Order No. R6V-2002-053 include a Monitoring and Reporting Program that require the Discharger to record flows to Piute Pond and document compliance with the Orders. These flows will occur on an intermittent basis through direction from the Air Force.

7. California Environmental Quality Act

This action is being taken by this regulatory agency to rescind the Cease and Desist Orders, pursuant to the California Water Code and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), in accordance with title 14, California Code of Regulations, section 15321(a)(2).

8. Public Notification

The Water Board has notified the Discharger and interested parties of its intent to rescind the Cease and Desist Orders. The Water Board, in a public meeting, heard and considered all comments pertaining to this Board Order.

IT IS HEREBY ORDERED THAT:

Cease and Desist Order Nos. R6V-2004-0038 and R6V-2004-0038-A1 are hereby rescinded.

I, Patty Z. Kouyoumdjian, 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 ~~June 19~~May 8, 2013.

PATTY Z. KOUYOUMDJIAN
EXECUTIVE OFFICER

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Proposed