

California Regional Water Quality Control Board  
North Coast Region

CLEANUP AND ABATEMENT ORDER NO. R1-2004-0037

FOR

CITY OF YREKA  
WASTEWATER TREATMENT FACILITY

Siskiyou County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. The City of Yreka (hereinafter the Discharger) owns and operates facilities (WWTF) for treatment and disposal of municipal wastewater from the community of Yreka. Disposal facilities include a 31-acre subsurface disposal field located in NW  $\frac{1}{4}$  Section 14, T45N, R7W, MDB&M and four percolation ponds located in SW  $\frac{1}{4}$  Section 14, T45N, R7W, MDB&M. Both the subsurface disposal field and percolation ponds are located adjacent to Yreka Creek.
2. The North Coast Regional Water Quality Control Plan (Basin Plan) prohibits discharge of waste to the Klamath River and its tributaries, including the Shasta River and Yreka Creek. Waste Discharge Requirements Order No. 96-69 regulated waste treatment and disposal from the Yreka WWTF and prohibited waste discharge to Yreka Creek. Cease and Desist Order No. 98-103, adopted by the Regional Water Board on September 24, 1998, required elimination of discharges to Yreka Creek that were in violation of Waste Discharge Requirements. Construction of a 31-acre subsurface disposal field was completed in spring 2003 in conjunction with WWTF upgrades in order to comply with Order No. 98-103.
3. On May 15, 2003, the Regional Water Board rescinded Order No. 98-103 and issued Waste Discharge Requirements Order No. R1-2003-0047 to the Discharger governing new wastewater treatment and disposal facilities.
4. During routine inspections conducted on August 28, 2003, and November 18, 2003, Regional Water Board staff observed ponded water and hydrophilic vegetation growing in portions of the disposal field and along transmission lines. A section in the disposal field had been removed from service. Observations during the last two wet weather seasons indicate that the section of the subsurface disposal field currently out of service was constructed in an area where water accumulates naturally and moisture persists year round. Puddles observed along transmission and distribution line locations appear to be caused by leakage.

5. By letter to the Discharger on December 17, 2003, Regional Water Board staff requested a time estimate for investigating and repairing the disposal system, and for returning to service the area of the disposal field that was out of service. Correspondence dated January 29, 2004 indicated that the Discharger was working with the contractor “for some time now” to resolve these issues. The Discharger had set a January 30, 2004, date for completing the work to eliminate standing water.
6. During a routine inspection conducted on March 31, 2004, Regional Water Board staff observed that the entire subsurface disposal field had been removed from service. According to the operator, the disposal field was removed from operation after the first week of January 2004. The valves controlling flow in the subsurface field began failing caused by melting snow. Wastewater Treatment Facility personnel suspected faulty coils for the solenoid control valves were not suitable for wet locations. Different coils have been ordered to replace those currently installed in the system. The Discharger expects all coils to be installed in early May 2004.
7. The Discharger is currently using the percolation ponds for disposal. The percolation ponds are the secondary disposal alternative in the recently completed facility upgrades. Use of the percolation ponds appears to involve the ‘alternate disposal field’, and ditch system, which was the subject of Cease and Desist Order No. 98-103. During the March 31, 2004 inspection, the trenches in the alternate disposal field were full of liquid. This liquid is likely effluent that had percolated through the porous tailings. Monitoring results for nutrients indicate effluent might be reaching Yreka Creek in violation of the Basin Plan discharge prohibition and Waste Discharge Requirements Order No. R1-2003-0047. Discharging nutrients is known to cause algal growth in Yreka Creek.
8. The Basin Plan includes water quality objectives, implementation plans for point source and nonpoint source discharge prohibitions and statewide plans and policies. The Basin Plan prohibits discharges to the Klamath River and its tributaries except as provided in the Action Plan for Storm Water Discharges.
9. The existing and potential beneficial uses of The Eel River include:
  - a. municipal water supply
  - b. agricultural water supply
  - c. industrial water supply
  - d. navigation
  - e. groundwater recharge
  - f. freshwater replenishment
  - g. contact water recreation
  - h. noncontact water recreation
  - i. warm freshwater habitat
  - j. cold freshwater habitat
  - k. wildlife habitat
  - l. migration of aquatic organisms
  - m. spawning, reproduction, and/or early development

10. Beneficial uses of area groundwater include:

- a. municipal water supply
- b. agricultural water supply
- c. industrial water supply

11. The Discharger is not in compliance with Waste Discharge Requirements Order No. R1-2003-0047. In its current state, effluent disposal has resulted in conditions similar to those existing at the time when Cease and Desist Order No. 98-103 was issued, violating the intent of Order No. R1-2003-0047.

12. Section 13304(a) of the Porter-Cologne Water Quality Control Act in part states:

“Any person who has discharged or discharges waste into the waters of this state in violation of any waste discharge requirement or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts.”

13. Pursuant to Sections 15321 and 15308, Title 14, California Code of Regulations, this action is exempt from the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.) as an enforcement action to protect the environment.

THEREFORE, IT IS HEREBY ORDERED that, pursuant to California Water Code Sections 13267(b) and 13304, the Discharger shall cleanup and abate violations and threatened violations of Order No. R1-2003-0047, and shall comply with the following provisions of this Order:

1. The Discharger shall complete the following items in the timeframe specified. A report of completion shall be submitted within fifteen days of completing each item.
  - a. Repair malfunctions in subsurface disposal field components, including faulty solenoid valves and pipe leaks
  - b. Discontinue effluent discharges that influence conditions in the alternate disposal field.
  - c. Restore the grade at the alternate disposal field by eliminating all human-made trenches and ground surface depressions.
2. On or before May 24, 2004, prepare and submit a plan and schedule detailing procedures to comply with Item 1 above.

3. On or before July 1, 2004, submit a status report presenting the progress toward completing Items 1.a through 1.c.
4. By December 17, 2004, submit copies of the Operations and Maintenance Manual for the wastewater treatment facility and an Emergency Contingency Plan that includes measures for addressing future subsurface disposal field failures.

Failure to comply with the above may result in severe monetary penalties.

Ordered by \_\_\_\_\_  
Catherine E. Kuhlman  
Executive Officer  
  
April 27, 2004